

Alexy Rios



From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, May 04, 2017 3:06 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA?CSO-- Election Advisories No. 2017-02 and No. 2017-03

Hello Everyone,

Election Advisories No. 2017-02 - Post-Election Procedures and Qualifying for Office for the May 6, 2017 Uniform Election and No. 2017-03 - Recount Deadlines for the May 6, 2017 Elections of Cities, School Districts and Other Political Subdivisions advisories are posted on the live website and links are also found in the following entities as well. The Procedures to Request and Conduct a Recount page has been updated too.

- County Clerks
- Tax Assessor-Collector/Voter Registrar
- Elections Administrators
- City Secretary/Clerk
- School Districts
- Other Political Subdivisions

Please let me know if you have any questions or concerns.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, May 08, 2017 2:08 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA/CSO--Waiver of Partial Manual Count

Waiver of Partial Manual Count after the May 6, 2017 Uniform Election Date

To: All Election Officials

From: Keith Ingram, Director of Elections



Date: May 8, 2017

RE: Waiver of Partial Manual Count after the May 6, 2017 Uniform Election Date

This is your official notification that the partial manual count will be waived for the May 6, 2017 uniform election. Under Section 127.201(a) of the Texas Election Code (the "Code"), the general custodian of election records in an election in which an electronic voting system is used is required to conduct a manual count in one percent of the election precincts or three election precincts, whichever is greater. Tex. Elec. Code Ann. § 127.201(a). Section 127.201(f) of the Code gives the Secretary of State authority to waive the requirement of a manual count.

If you have any questions, please contact the Elections Division at elections@sos.texas.gov or call toll-free at 1-800-252-VOTE(8683).

KI:CG

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, May 09, 2017 4:37 PM
To: Elections Internet
Subject: Mass Email CSO/CC/EA--Precinct by Precinct Report

Precinct by Precinct Report for May 6, 2017 Elections

To: Elections Officials

From: Keith Ingram, Director of Elections



Date: May 9, 2017

RE: Precinct by Precinct Report for May 6, 2017 Elections

Pursuant to Section 67.017 of the Texas Election Code (the "Code"), all political subdivisions must file precinct by precinct returns for all candidates and measures for each election with the Secretary of State. The Code requires the returns to be submitted in an electronic form. There are three methods you can use to submit this report information to our office:

1. You can put your returns into a Secretary of State defined Excel spread sheet and attach the spreadsheet to a web browser. The [instructions \(PDF\)](#) for completing the precinct returns report are available on our website;
2. You can attach a file from your vote count machine (confer with your vendor for specific details);
3. You can "build" your own report by inputting your precinct returns directly into the system. Since the state does not have information specific to your election, you will have to update the information required to report your election results.

The website for entering [precinct to precinct returns](#) is currently available. You will use **polsubpw9** as the password, then you will be instructed to create a new password.

Precinct by precinct returns are required to be filed with this office no later than 30 days after the election. The deadline for this election is **Monday, June 5, 2017**. You must include both the early votes and the election day votes for candidates and measures in each precinct race being reported. Note that you should not input your results until after you have canvassed your election

If your election was **cancelled**, please follow the procedures to set up your election and then follow the cancellation procedures that are included on page 15 of the [instructions \(PDF\)](#) posted on our website.

KI:CG

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, June 07, 2017 9:46 AM
To: Elections Internet
Subject: FW: EAC Alert to State and Local Election Officials
Attachments: 170606 Alert.pdf

Hello Everyone,

You may have already received the attached alert, but I wanted to make sure that everybody had it. Please keep security in mind as a top priority. Let us know if you have any questions.

Keith

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Brenda Soder [<mailto:BSoder@eac.gov>]
Sent: Tuesday, June 06, 2017 2:00 PM
Subject: EAC Alert to State and Local Election Officials

Good afternoon. In follow-up to yesterday's news story about phishing attacks targeting local election officials, the EAC has issued the following alert. Please feel free to share this with those within your networks who may find the information useful.

All the best,
Brenda

BRENDA BOWSER SODER
Director, Communications & Public Affairs
U.S. Election Assistance Commission
(202)897-9285 / www.eac.gov



A L E R T:

Following NSA document leak, EAC Issues Guidance and Recommendations

June 6, 2017

Consistent with the U.S. Election Assistance Commission's commitment to providing state and local election administrators with the information they need to ensure secure, accessible and accurate elections, the commission is issuing the following alert to state and local election officials:

According to credible news reports that surfaced yesterday, in the fall of 2016, a Russian-based hacker launched a phishing cyber-attack targeting more than 100 local U.S.-based election officials. The hacker sent these officials an email appearing to come from a private sector election services and equipment company. The goal was to trick officials into opening Microsoft Word documents carrying malware.

While phishing attacks are common across all sectors of our society and there is no evidence that this attack targeted voting machines involved in vote tallying of the 2016 Federal Election, this report provides a timely reminder that officials must remain vigilant about election system security.

The Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS) are currently notifying the officials who were targeted by the attack and are coordinating the incident response.

As this story continues to unfold and law enforcement officials coordinate with those targeted by this phishing attack, the EAC is providing the following reminders, guidance and resources:

- Check email logs for emails from noreplyautomaticservice@gmail.com and vr.elections@gmail.com which were identified by the leaked NSA document as being the email addresses utilized by the attackers.
- Election officials should work with their IT officials and their Secretary of State's offices to routinely review systems and logs for possible malicious emails and other irregular activity.
- Election officials should monitor and actively seek security updates from state and national law enforcement and intelligence sources, including the DHS and FBI. EAC will provide these updates as we receive them.
- Follow election best practices by ensuring voting systems & corresponding EMS are NOT connected to the internet.

- Election officials should review security protocols with all staff and issue reminders to exercise caution when opening links and attachments, even those that appear to come from known senders.
- Visit the EAC's "**Election Security Preparedness**" page for information and checklists to guide security efforts, including:
 - Considerations for Implementing Voting Systems with COTS Products
 - Checklist - Securing Voter Registration Data
 - Checklist - Securing Election Night Reporting Systems
 - Ransomware and What to Do About It
 - Ten Things to Know About Selecting a Voting System
 - Ten Things to Know About Managing Aging Voting Systems
 - Cyber Incident Response Best Practices
- If you have found something of interest or have questions or concerns about this incident and its possible impact on your election jurisdiction, please contact the FBI cyber watch group at 1-855-292-3937 or cywatch@ic.fbi.gov. Election officials can also contact their local FBI field office. The EAC will follow up with additional information and resources as they become available. If the EAC can provide additional assistance, please do not hesitate to contact us.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, June 27, 2017 4:31 PM
To: Elections Internet
Subject: MASS EMAIL--VR/EA--Death Master File disclosure

Dear County Voter Registrars,

As you know, one of the sources for information regarding deceased persons that Texas uses is the Social Security Administration's Death Master File (DMF). We obtain the DMF from the Social Security Administration (SSA) and run the data for potential voter matches. We then cancel the strong voter matches and send the weak voter matches to the counties for further review/investigation.

Recently the SSA has modified their requirements for subscriptions to the DMF. In connection with renewing our subscription, our Office has agreed to remind everyone who uses the data at the county level of their obligations regarding protection of the information. Specifically, SOS has agreed that:

1. it shall **not** disclose any information contained on the DMF with respect to any deceased individual at any time during the three-calendar-year period beginning on the date of the individual's death to any person
 - a. other than a person who
 - i. "has a legitimate fraud prevention interest, or has a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty...";
 - ii. "has systems, facilities, and procedures in place to safeguard the accessed information, and experience in maintaining the confidentiality, security, and appropriate use of accessed information, pursuant to requirements reasonably similar to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986"; and
 - iii. has "agree[d] to satisfy such similar requirements [to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986";
 - b. who uses the information for any purpose other than a legitimate fraud prevention interest or a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty; or
 - c. who further discloses the information to any person other than a person who meets the requirements in (a) above.
2. it will not "[u]se" the information contained on the DMF with respect to any deceased individual "for any purpose other than a legitimate fraud prevention interest or a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty. See 15 C.F.R. 1110.102. Penalties for violating these requirements are provided in 15 C.F.R. 1110.200.

SOS notes, however, that protected DMF information (*i.e.*, the name, social security account number, date of birth, or date of death) does not include information obtained, or subsequently provided by a third person, independently. 15 C.F.R. 1110.2.

What this means to you:

1. Do not share the matching information obtained from the DMF that you use to take action on a voter record –
 - a. Everyone using the data on the Limited Access DMF with respect to any deceased individual, **including county employees, must not disclose any information contained on the DMF with respect to any deceased individual not obtained or provided independently** to any person prohibited from receiving the data in items (a) through (c) listed above, and must themselves take steps to not fall into a prohibited category of persons able to receive the data under items (a) through (c) above.
 - b. This would include any side by side printouts of Deceased matching information that are stored in your Active/Inactive files.

2. If you receive a Public Information Request for the deceased matching information leading to action on a voter record, contact the Election Division as soon as possible
 - a. Out of an abundance of caution, please do not disclose the information contained on the DMF with respect to any deceased individual to anyone who is not a county employee or an employee of the Texas Secretary of State prior to obtaining **express written permission from the Office of the Texas Secretary of State to do so**, and subject to applicable provisions of Chapter 552 of the Texas Government Code. If you receive a request for information which may relate to information contained on the DMF with respect to any deceased individual, please inform the Elections Division of the Texas Secretary of State before providing any information which may relate to information contained on the DMF with respect to any deceased individual.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Thursday, July 13, 2017 3:12 PM
Subject: MASS E-MAIL ADVISORY (VR/EA/V-669) - Legislative Update: HB4034 Duplicate Batch Process
Attachments: 2017 CEO Agenda.pdf
Importance: High

Dear Counties-

You have been receiving updates throughout the summer discussing changes HB4034, which was passed this legislative session and is now in effect, brings about as it relates to maintaining and updating the voter registration rolls. In addition to the changes previously discussed, this bill includes legislation requiring the Secretary of State to periodically compare voter information to determine whether any voters have more than one registration record on file. This bill further requires the Secretary of State to determine information combinations that constitute a weak match or a strong match in order to:

- Produce the least possible impact on Texas voters, and
- Fulfill its responsibility to manage voter rolls.

To that end, our office has created the Duplicate Batch Process, which we will be rolling out shortly after the Summer Seminar. In light of that, we plan to train on this process at the Summer Seminar (for counties registered to attend) and via Webinar immediately after the Seminar (for counties not registered to attend or who will otherwise not be able to have a Voter Registration representative present during the Seminar training). This training will provide details regarding a new list maintenance process. During this presentation, we will review changes made by HB4034 to Chapter 18 of the Election Code, and the process by which the voter rolls will be compared, possible duplicates identified, and tasks provided to the counties for further action/resolution. Because this is a change in how counties will handle the processing of potential duplicate notifications, all counties should have a voter registrar representative attend either the summer seminar training or the subsequent webinar. We will also be posting a Mini-Manual to the DocShare site for this process. We will send notification once it has been posted, so that you can begin reviewing the workflows tied to this process.

Counties with Voter Registration Representatives Attending the Seminar on August 2nd:

Attached is the revised Seminar Schedule, which has been adjusted to include training of the Duplicate Batch Process on Day 3. **All voter registrar representatives** attending the Seminar should plan to attend this training entitled "HB4034: Duplicate Batch Process", which is scheduled to be given:

Wednesday, August 2, 2017	1:00 p.m. – 2:00 p.m.	HB4034:
Duplicate Batch Process		

If your county is registered to attend the Seminar, but no one in the Voter Registration Department will be able to stay and attend this session, then please e-mail Gloria Martinez at gmartinez@sos.texas.gov to ask about the webinar options.

Counties with no Voter Registration Representative Registered for the Summer Seminar:

For those counties who do not have a voter registration representative signed up to attend the Summer Seminar, we will send a separate email to all you **no later than Friday, July 14** to sign up to attend a class via webinar the week following the Summer Seminar (August 7-11). This training will be a repeat of the training provided

during the Summer Seminar. We will be providing this speech via webinar to accommodate counties unable to send a representative to attend the Summer Seminar. You will need to be sure to have at least one representative from your office attend this class, to assist with the training of others in your office.

If you have any questions or concerns regarding this information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

Sincerely,

Betsy Schonhoff
Voter Registration Manager

AGENDA

35th Annual Election Law Seminar County Election Officials



Renaissance Austin Hotel

July 31 – August 2, 2017

SEMINAR REGISTRATION DESK

The Secretary of State Registration Desk will be open 3:00 p.m. – 7:00 p.m. on Sunday, 7:00 a.m. – 6:00 p.m. on Monday, 7:30 a.m. – 5:00 p.m. on Tuesday, and 7:30 a.m. – 5:00 p.m. on Wednesday.

ELECTION DIVISION SUPPORT ROOM

ALL THREE GROUPS WILL BE LOCATED IN THE WEDGWOOD ROOM

Voter Registration staff will be available to discuss TEAM on Tuesday from 1:00 p.m. to 5:00 p.m.; and Wednesday from 8:00 a.m. to 4:00 p.m. The VR staff will not be available on Monday.

Election Funds Management staff will be available on Tuesday and Wednesday from 1:00 p.m. to 5:00 p.m. Attendees can access Chapter 19 and Primary Finance Information.

Legal staff will be available at limited times throughout the conference. Question slips may be completed and returned in the ballot boxes located at the registration desk and support room any time during the conference. These questions will be addressed during the Q&A sessions or via email upon conclusion of the conference.

CONTINUING EDUCATION & CERTIFICATES OF ATTENDANCE

County and District Clerks Association Members: If you are a member of CDCAT, be sure to pick up a continuing education form at the registration desk. You can mail or email the completed form to the Association (*see form for contact information*).

Evaluation and Certificate of Attendance: An email will be sent to you on August 3rd with a link to the evaluation form. Upon receipt of your evaluation, a certificate of attendance will be emailed to you.

For questions regarding these items, please see Louri O'Leary or Andria Perales during the conference.

SHUTTLE SCHEDULE

Complimentary transportation will be provided by *Star Shuttle & Charter* on a continuous basis to and from the host hotel and the overflow hotels.

- Renaissance Hotel 9721 Arboretum Boulevard (512) 343-2626
- DoubleTree Northwest 8901 Business Park Drive (512) 343-0888
- Hyatt House 10001 N. Capital of Texas Highway (512) 342-8080
- Hyatt Place 3612 Tudor Boulevard (512) 231-8491

The shuttle will be available at the following times on a continuous basis:

Sunday, July 30th from 2:00 p.m. to 8:00 p.m.

Monday, July 31th from 6:00 a.m. to 7:00 p.m.

Tuesday, Aug 1st from 6:30 a.m. to 6:00 p.m.

Wednesday, Aug 2nd from 6:30 a.m. to 6:00 p.m.

TEXAS LEGISLATIVE COUNCIL

The Texas Legislative Council (TLC) Mapping and Redistricting Section will be located in the Arbor with the Exhibitors. Staff will be available to answer questions about TLC's election and redistricting data, demonstrate TLC's District Viewer online interactive mapping application, the redistricting website, answer questions regarding any upcoming precinct changes, and take orders for small county maps with 2016 general election precincts. TLC can also email PDF versions of maps to counties upon request.

District Viewer, an online interactive mapping application, allows a user to look at the 2016 general election precinct boundaries with street names and to overlay the current congressional and legislative district boundaries. The user can zoom in and customize a map of an area of interest and download a screenshot of what they see for printing and emailing.

The **TLC Redistricting Website** has information and news about the recent legislative redistricting efforts and a link to the FTP site, where precinct boundaries, election data, and district boundaries are available to download.

TLC staff will be taking orders for small maps of counties with 2016 General Election precincts. Map orders must be placed on Monday or Tuesday for pickup at the seminar the next day. TLC staff will also be collecting information on 2017 Election precinct boundary changes from the counties.

DAY ONE

Monday, July 31, 2017

BREAKOUT SESSIONS BEGIN AT 3:00 P.M. — THE MAIN BALLROOM WILL BE DIVIDED FOR HART AND ES&S USERS
THE WEDGWOOD ROOM WILL BE FOR DOMINION

- 7:00 a.m. — 8:00 a.m. **BREAKFAST** WILL BE AVAILABLE IN THE BALLROOM FOYER
- 8:30 a.m. — 9:00 a.m. **Panel: Poll Worker Training and Recruitment**
Heather Hawthorne, Chambers County Clerk
Moderator: Tim Juro
- 9:00 a.m. — 10:15 a.m. **Preparing for and Conducting Voting By Mail**
Speakers: Caroline Geppert and Heidi Martinez
- 10:15 a.m. — 11:00 a.m. **Early Voting Ballot Board – Qualifying By Mail Ballots**
Speaker: Melanie Best
- 11:00 a.m. — 11:30 a.m. **Federal Voting Assistance Program**
Guest Speaker: David Beirne and Nathan Bacchus, Federal Voting Assistance Program
Moderator: Keith Ingram
- 11:30 a.m. — 12:45 p.m. **LUNCH ON YOUR OWN**
- 12:45 p.m. — 1:30 p.m. **Duties of County Election Officer**
Speaker: Heidi Martinez
- 1:30 p.m. — 2:30 p.m. **Duties of Election Judge**
Speaker: Tim Juro
- 2:30 p.m. — 3:00 p.m. **BREAK**
Light refreshments will be available. Exhibitors will be set-up all day. Please stop by and view their products.
- 3:00 p.m. — 5:00 p.m. **Breakout Voting Systems Workshops for Counties**
 - Preparing Your Ballot (Speakers: Keith Ingram or Christina Adkins)
 - Programming Your Voting System (Speakers: ES&S or Hart)
 - Testing Your Voting System (Speakers: ES&S or Hart)
 - Procedures for Central Counting Station (Speakers: Keith Ingram or Christina Adkins)
 - Canvassing Your Election (Speakers: Keith Ingram or Christina Adkins)
 - Obtaining a New Voting System (Speakers: Keith Ingram or Christina Adkins)
 - Q&A
- 5:00 p.m. — 6:00 p.m. **FVAP Breakout Session**
David Beirne and Nathan Bacchus, Federal Voting Assistance Program

DAY TWO**Tuesday, August 1, 2017****ALL SESSIONS WILL BE HELD IN THE MAIN BALLROOM, LOBBY LEVEL****7:30 a.m. – 8:30 a.m. CONTINENTAL BREAKFAST WILL BE AVAILABLE IN THE BALLROOM FOYER****7:30 a.m. – 8:30 a.m. OPTIONAL SESSION: ELECTIONS 101***Speakers: Christina Adkins and Caroline Geppert***8:15 a.m. – 8:45 a.m. MEET & GREET WITH SECRETARY PABLOS***Ballroom Foyer***8:45 a.m. – 9:00 a.m. WELCOME & OPENING REMARKS****THE HONORABLE ROLANDO B. PABLOS****9:00 a.m. – 9:30 a.m. Notes and Legislative Update***Speaker: Keith Ingram***9:30 a.m. – 10:00 a.m. HB 658 – Voting at Residential Care Facilities****10:00 a.m. – 10:45 a.m.***Speaker: Caroline Geppert***Role of the County: Conducting the Primary Election***Speaker: Tim Juro***10:45 a.m. – 11:45 a.m. Primary Funds***Speakers: Dan Glotzer and Amanda Grossman***11:45 a.m. – 1:00 p.m.****LUNCHEON***Exhibitors will be set-up all day.***RIO GRANDE BALLROOM, PLAZA LEVEL***Please stop by and view their products.***1:00 p.m. – 2:00 p.m.****Precincts and Polling Places***Speakers: Caroline Geppert and Andre Montgomery***2:00 p.m. – 2:30 p.m.****Provisional Ballots***Speaker: Melanie Best***2:30 p.m. – 3:00 p.m.****BREAK***Light refreshments will be available. Exhibitors will be set-up all day. Please stop by and view their products.***3:00 p.m. – 3:45 p.m.****Panel: Contracting with Cities, Schools and Other Political Subdivisions***Speaker: Andre Montgomery**Guest Speaker: Mina Cook, Hunt County Elections Administrator***3:45 p.m. – 4:30 p.m.****Public Information/Open Records***Speaker: Andre Montgomery**Guest Speaker: Sean Nottingham, Texas Attorney General's Office***4:30 p.m. – 5:00 p.m.****Question and Answer Session**

DAY THREE

Wednesday, August 2, 2017

ALL SESSIONS WILL BE HELD IN THE MAIN BALLROOM, LOBBY LEVEL

7:30 a.m. – 8:30 a.m.	CONTINENTAL BREAKFAST WILL BE AVAILABLE IN THE BALLROOM FOYER	
8:30 a.m. – 9:30 a.m.	Application Through Cancellation – Part 1	
9:30 a.m. – 10:00 a.m.	Challenges	Speaker: Betsy Schonhoff
10:00 a.m. – 11:15 a.m.	Application Through Cancellation – Part 2	Speaker: Christina Adkins
11:15 a.m. – 11:45 a.m.	Things To Do and When	Speaker: Betsy Schonhoff
11:45 a.m. – 1:00 p.m.	LUNCH ON YOUR OWN	Speakers: Emily Jones and Brenda Hester
1:00 p.m. – 2:00 p.m.	HB4034: Duplicate Batch Process	
2:00 p.m. – 2:30 p.m.	Establishing Districts for a New Entity Election	Speaker: Betsy Schonhoff
2:30 p.m. – 3:00 p.m.	BREAK Light refreshments will be available. Exhibitors will be set-up all day. Please stop by and view their products.	Speakers: Gloria Martinez and Caroline Geppert
3:00 p.m. – 3:30 p.m.	Understanding the Mass Mail Out & Postage Reimbursement	
3:30 p.m. – 4:00 p.m.	Chapter 19 Funding	Speakers: Beva Kellison and Dan Glotzer
4:00 p.m. – 5:00 p.m.	County Peer Round Table Discussion Questions and Answers	Speaker: Amanda Grossman
		Moderators: Voter Registration Staff

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, August 15, 2017 3:37 PM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA--Chapter 107

Dear election officials,

As you know, HB 658, which, among other things, created a new Chapter 107 of the Texas Election Code, was passed during the regular session earlier this year. New Chapter 107 and related provisions provide a method for persons in residential care facilities such as nursing homes and assisted living centers to vote by mail, but to have their blank ballots hand delivered to them and the completed ballots returned to the early voting clerk by election judges. Pursuant to Section 8 of HB 658 (85th Regular Session), these provisions are effective September 1, 2017.

You may also have heard that SB 5 passed in the first called special session of the legislature last week and has been signed by the Governor. Pursuant to Section 20 of SB 5 (85th Legislature 1st Special Session), the repeal of new Chapter 107 and related provisions is not effective until December 1, 2017. *See also* Tex. Const. Art. III, Sec. 39

This means that Chapter 107 and related provisions will be in effect for the November 7, 2017 election, and any other election which takes place between September 1, 2017 and November 30, 2017. We are completing the necessary forms and advisory and should have those out to you very soon. If you have any questions, please let us know.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, August 15, 2017 4:13 PM
To: Louri O'Leary
Subject: MASS E-MAIL ADVISORY (CC/EA-659) - Constitutional Amendment Election to be held on November 7, 2017
Attachments: Ballot Certification.pdf; 2017 Ballot Certification Memorandum.pdf

Good Afternoon County Clerks and Elections Administrators,

Please see the attached Ballot Certification and Memorandum for the Constitutional Amendment Election to be held on November 7, 2017.

Please contact us at 1/800-252-2216 or Elections@sos.texas.gov if you have any questions.

Thank you,
Louri O'Leary

Louri O'Leary

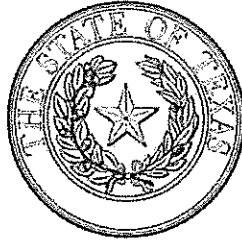
Office of the Texas Secretary of State
Elections Division ♦ Elections Administration Manager
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252. 8683 ♦ www.sos.state.tx.us/elections
D: 512.463.3204 ♦ F: 512.475.2811
loleary@sos.texas.gov

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

Twitter - <https://twitter.com/#!/votetexas>
Facebook - <http://www.facebook.com/votetexas>





The State of Texas

Secretary of State

I, ROLANDO B. PABLOS, SECRETARY OF STATE, STATE OF TEXAS, DO HEREBY CERTIFY, in accordance with Section 274.003 of the Texas Election Code, the following amendments are the proposed constitutional amendments as submitted by the 85th Legislature, Regular Session, to appear on the constitutional amendment ballot for the special election to be held November 7, 2017.

STATE OF TEXAS PROPOSITION 1

"The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution."

PROPUESTA NÚMERO 1 DEL ESTADO DE TEXAS

"Enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas".

STATE OF TEXAS PROPOSITION 2

"The constitutional amendment to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads."

PROPUESTA NÚMERO 2 DEL ESTADO DE TEXAS

“Enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiación para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para la refinanciación de los préstamos de segunda hipoteca, cambiar del umbral para un anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas”.

STATE OF TEXAS PROPOSITION 3

“The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person’s term of office.”

PROPUESTA NÚMERO 3 DEL ESTADO DE TEXAS

“Enmienda constitucional que limita el servicio de ciertos funcionarios públicos nombrados por el gobernador y confirmados por el senado después de la caducidad del mandato de la persona”.

STATE OF TEXAS PROPOSITION 4

“The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.”

PROPUESTA NÚMERO 4 DEL ESTADO DE TEXAS

“Enmienda constitucional que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza al legislador a imponer un período de espera antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional”.

STATE OF TEXAS PROPOSITION 5

“The constitutional amendment on professional sports team charitable foundations conducting charitable raffles.”

PROPUESTA NÚMERO 5 DEL ESTADO DE TEXAS

“Enmienda constitucional sobre fundaciones benéficas de equipos deportivos profesionales que realizan rifas caritativas”.

STATE OF TEXAS PROPOSITION 6

"The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty."

PROPUESTA NÚMERO 6 DEL ESTADO DE TEXAS

"Enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio".

STATE OF TEXAS PROPOSITION 7

"The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings."

PROPUESTA NÚMERO 7 DEL ESTADO DE TEXAS

"Enmienda constitucional relativa a la autoridad legislativa para permitir que las cooperativas de crédito y otras instituciones financieras otorguen premios por sorteo para promover el ahorro".



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, Texas this 15th day of August, 2017.

A handwritten signature in black ink, appearing to read "R. Pablos".

ROLANDO B. PABLOS
SECRETARY OF STATE

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: August 15, 2017

RE: Ballot Certification for the November 7, 2017 Constitutional Amendment Election

Attached is the ballot certification for the Constitutional Amendment Election to be held on November 7, 2017.

There is a sample ballot on our website and you may use it to assist you in preparing your ballot, <http://www.sos.state.tx.us/elections/forms/2017-sample-ballot.pdf>. The sample ballot meets the general requirements set forth in Subchapter C of Chapter 52, Texas Election Code. The name of your county must appear on the official ballot between the title and the date of the election.

The sample ballot will need to be modified before using it as your official ballot. You will need to change the title to OFFICIAL BALLOT (Boleta Oficial) rather than "sample ballot," include the name of your county in the appropriate space, print the official ballots on white paper, and number them consecutively beginning with number 1.

The November calendar is posted at <http://www.sos.state.tx.us/elections/laws/november-7-election-calendar-2017.shtml>.

Neither the County Judge nor the Commissioners Court need to order this election, but the notice of election will need to be published in the newspaper 30-10 days before the election. A sample form can be found at <http://www.sos.state.tx.us/elections/forms/pol-sub/1-8f.pdf>.

The Secretary of State will send the County Clerk the full and complete text of the proposed amendment and translations in a separate email. Article XVII, Section 1, Texas Constitution requires that each County Clerk post the complete text in a public place in the courthouse at least 30 days prior to the election.

If you have any questions concerning the enclosed materials or need any assistance, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

KI: LO

Attachments

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, August 16, 2017 9:19 AM
To: Louri O'Leary
Subject: MASS E-MAIL ADVISORY (County Judges/CC/EA-925) Constitutional Amendment Election to be held on November 7, 2017
Attachments: Constitutional Amendment 2017 Proclamation.pdf; Election Duties Memorandum.pdf

Dear County Judges,

Please see the attached Governor's Proclamation ordering the Constitutional Amendment Election to be held on November 7, 2017.

The attached memorandum provides election information and dates of significance.

You are required to give notice of this election by any one of the following methods:

- (1) by publishing the notice in a newspaper of general circulation in the county between Sunday, October 8, 2017 and Saturday, October 28, 2017;
- (2) by posting a copy of the notice at a public place in each election precinct on or before Tuesday, October 17, 2017; or
- (3) by mailing the notice to each registered voter in the county no later than Monday, October 30, 2017.

Please contact our office at 1/800-252-2216 or Elections@sos.texas.gov if you have any questions.

Thank you,
Louri O'Leary

Louri O'Leary

Office of the Texas Secretary of State
Elections Division ♦ Elections Administration
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252.2216 ♦ www.sos.state.tx.us/elections
For Voter Related Information, please visit:



Twitter - <https://twitter.com/#!/votetexas>
Facebook - <http://www.facebook.com/votetexas>



PROCLAMATION
BY THE
Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the 85th Regular Session of the Texas Legislature convened in January of 2017 in accordance with Article III, Section 5, of the Texas Constitution and Section 301.001 of the Texas Government Code; and

WHEREAS, during that session, the legislature approved seven joint resolutions proposing seven particular constitutional amendments by a vote of two-thirds of all the members of each house pursuant to Article XVII, Section 1, of the Texas Constitution; and

WHEREAS, pursuant to the terms of those resolutions and in accordance with the Texas Constitution, the legislature has set the date of the election for voting on the seven proposed constitutional amendments to be November 7, 2017; and

WHEREAS, Section 3.003 of the Texas Election Code requires the election to be ordered by proclamation of the governor;

NOW, THEREFORE, I, GREG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, by the authority vested in me by the constitution and statutes of the State of Texas, do hereby order a special election to be held throughout the State of Texas on the FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, the same being the SEVENTH day of NOVEMBER, 2017; and

NOTICE THEREOF IS HEREBY GIVEN to the COUNTY JUDGE of each county, who is directed to cause said election to be held in the county on such date for the purpose of adopting or rejecting the seven constitutional amendments proposed by seven joint resolutions, as submitted by the 85th Texas Legislature, Regular Session.

Pursuant to Sections 52.095, 274.001 and 274.002 of the Texas Election Code, the propositions for the joint resolutions will appear as follows:

STATE OF TEXAS PROPOSITION 1

"The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution."

STATE OF TEXAS PROPOSITION 2

"The constitutional amendment to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads."

STATE OF TEXAS PROPOSITION 3

"The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person's term of office."

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11 AM O'CLOCK

AUG 10 2017

TX-STARR-19-0693-A-000033

STATE OF TEXAS PROPOSITION 4

"The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional."

STATE OF TEXAS PROPOSITION 5

"The constitutional amendment on professional sports team charitable foundations conducting charitable raffles."

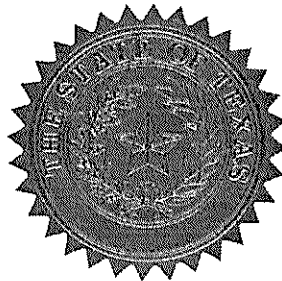
STATE OF TEXAS PROPOSITION 6

"The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty."

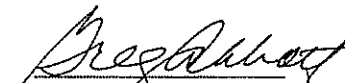
STATE OF TEXAS PROPOSITION 7

"The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings."

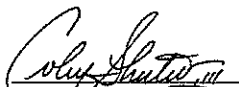
The secretary of state shall take notice of this proclamation and shall immediately mail a copy of this order to every county judge of this state, and all appropriate writs will be issued, and all proper proceedings will be followed, to the end that said election may be held and its result proclaimed in accordance with law.



IN TESTIMONY WHEREOF, I
have hereto signed my name and
have officially caused the Seal of
State to be affixed at my office in
the City of Austin, Texas, this the
10th day of August, 2017.


GREG ABBOTT
Governor of Texas

ATTESTED BY:


COBY SHORTER, III
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11 AM O'CLOCK

AUG 10 2017

TX-STARR-19-0693-A-000034

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: County Judges

FROM: Keith Ingram, Director of Elections 

DATE: August 16, 2017

RE: Constitutional Amendment Election Duties

Enclosed is the Governor's Proclamation ordering the Constitutional Amendment Election to be held on November 7, 2017.

You are required to give notice of this election by any one of the following methods:

- (1) by publishing the notice in a newspaper of general circulation in the county between Sunday, October 8, 2017 and Saturday, October 28, 2017;
- (2) by posting a copy of the notice at a public place in each election precinct on or before Tuesday, October 17, 2017; or
- (3) by mailing the notice to each registered voter in the county no later than Monday, October 30, 2017.

This notice must include:

- (1) The type and date of the election;
- (2) The location of each polling place;
- (3) The hours the polls will be open;
- (4) The location of the main early voting polling place;
- (5) The regular dates and hours for early voting by personal appearance;
- (6) The dates and hours of any Saturday or Sunday early voting, if any; and
- (7) The early voting clerk's mailing address.

In addition to the method of giving notice stated above, you must also post a notice of the election on the bulletin board used for posting open meetings and notices of commissioners court meetings no later than Tuesday, October 17, 2017. You will need to add the following language to the notice form after "for voting in a special election to" (and after "*para votar en la Elección Especial para*")

"adopt or reject the proposed Constitutional Amendments as submitted by the 85th Legislature, Regular Session, of the State of Texas." ("*adoptar o rechazar las enmiendas a la constitución propuestas tal como fueron presentadas por la 85ª Legislatura Sesión Regular del Estado de Texas*".)

Link for the form is: <http://www.sos.state.tx.us/elections/forms/pol-sub/1-8f.pdf>

For each precinct that is combined to form a consolidated precinct under Section 42.008 of the Texas Election Code, not later than Monday, October 30, 2017, you shall also post at the polling place used in the preceding general election notice of the precinct's consolidation and the location of the polling place in the consolidated precinct.

You are also responsible for sending to each election judge a writ of election, which is notice to the judge of his/her duty to hold the election on November 7, 2017. The writ must be sent no later than Monday, October 23, 2017. The link to a sample of that form is: <http://www.sos.state.tx.us/elections/forms/pol-sub/4-12f.pdf>. In the space for the "Nature of Election," we recommend the following verbiage:

"To adopt or reject the proposed Constitutional Amendments as submitted by the 85th Legislature, Regular Session, of the State of Texas"

The commissioners court must canvass the constitutional amendment election not earlier than Wednesday, November 15, 2017 and not later than Monday, November 20, 2017. The canvass cannot take place prior to the reconvening of the early voting ballot board to count any late ballots arriving from outside the United States or to count provisional ballots. Note that the **officially canvassed returns for the state constitutional amendment election must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass.**

If you have any questions regarding the constitutional amendment election, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

KI:LO

Enclosure: Governor's Proclamation

CC: County Clerks/Elections Administrators

Alexy Rios

From: EFM Admin <EFMAdmin@sos.texas.gov>
Sent: Tuesday, September 05, 2017 8:38 AM
Subject: Proposed 2018 Primary Rules

Good morning,

The 2018 proposed rules concerning the funding of the 2018 Primary Elections and Joint Primary Elections have been published in September 1 issue of the Texas Register.

Written comments of the proposal may be submitted to the Office of the Secretary of State, Keith Ingram, Director of Elections, P.O. Box 12060, Austin, Texas 78711. Comments may also be sent via email to: elections@sos.texas.gov. For comments submitted electronically, please include "Proposed 2018 Primary Rules" in the subject line. Comments must be received no later than twenty (20) days from the date of publication of the proposal in the Texas Register. Comments should be organized in a manner consistent with the organization of the proposed rules.

If you have any questions or need further assistance, please contact EFM at (800) 252-2216 (option 3) or EFMAdmin@sos.texas.gov.

Thank you,
Election Funds Management Team

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, September 05, 2017 4:02 PM
To: Elections Internet
Subject: MASS EMAIL-CSO/CC/EA--Veasey, et al. v. Greg Abbott, et al - VOTER ID
Attachments: 26410580-0--30248.pdf

Dear Election Officials,

As you are likely aware, a federal district court in Corpus Christi entered an order on August 23, 2017, granting a permanent injunction against Texas' voter ID laws (most of Senate Bill 14, as well as the recently passed Senate Bill 5) and vacating the Court's Interim Remedy Order (which included the reasonable impediment declaration procedure).

However, as there were elections already ongoing at that point in time, the State of Texas asked the court to rule, on two separate occasions, that entities which had elections with early voting which began on or before August 23, 2017 be allowed to use the voter ID procedures as they were before the court's August 23, 2017 order (the Interim Remedy Order). We sent you the email below with a copy of the Court's first order on this topic dated August 30, 2017, which related to a specified list of entities, and which determined that this list of specified entities could continue using the Interim Remedy Order for these elections.

The second order on this topic, issued today, September 5, 2017, relates to two specific elections (the Hamilton ISD Tax Ratification Election, which was on August 26, and the Raymondville ISD Tax Ratification Election, which is on September 9), as well as any **election for which early voting began on or before August 23, 2017. This second order, similar to the first order, provides that these entities can continue using the Interim Remedy Order for their elections. Like the first order, this second order only applies to elections that were in motion at the time of the Court's August 23 order.**

We will keep you updated on the effects of the Court's August 23 order for upcoming elections as we know more.

In addition, as noted in our below e-mail, we reiterate our request for those entities who have not yet done so to please advise our Office immediately as to any elections you are holding after August 23 and before the November 7, 2017 election.

If you have questions or concerns, please do not hesitate to contact us by responding to this email or by calling us at 1-800-252-2263.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Elections Internet

Sent: Friday, September 01, 2017 8:48 AM

Subject: MASS EMAIL-CSO (495)--Veasey, et al. v. Greg Abbott, et al - VOTER ID

Dear Election Officials for Counties, Cities, Schools, and Other Political Subdivisions:

As you are most likely aware, a federal court issued an order on August 23, 2017, granting a permanent injunction against Texas' voter ID law (Senate Bill 14) and vacating the Court's Interim Remedy Order (which included the reasonable impediment declaration procedure). That order is attached.

However, as there were elections already ongoing at that point in time, the State of Texas asked the court to rule that entities of which it was aware that were holding elections on August 26, 2017, and on September 9, 2017, be allowed to use the voter ID procedures as they were before the court's August 23, 2017 order (the Interim Remedy Order procedures). Attached please find a court order, issued on August 30, 2017, allowing a list of specified entities to continue using the Interim Remedy Order for these elections. Note that only two entities holding elections on September 9, 2017 are included on this list and therefore should process voters using the Interim Remedy Order: Denton ISD, and the City of Southlake. If you are not either of these two political subdivisions but you are currently holding an election for which early voting began on or before August 23, 2017, please contact our Office immediately so that we can obtain guidance on how you should proceed. In addition, please advise our Office immediately as to any elections you are holding between August 23, 2017, and the November 7, 2017 election.

If you have questions or concerns, please do not hesitate to contact us by responding to this email or by calling us at 1-800-252-2216.

Sincerely,

Caroline Geppert
Interim Legal Director – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.state.tx.us



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

ENTERED

September 05, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, *et al.*,

Defendants.

§
§
§
§
§
§
§
§

CIVIL ACTION NO. 2:13-CV-00193

ORDER

Now before the Court comes Defendants' Motion for a Stay of the Court's Order, dated August 23, 2017 (D.E. 1071), for the election scheduled for August 26, 2017 for Hamilton Independent School District, the election scheduled for September 9, 2017 for Raymondville Independent School District, and for all other elections for which early voting began on or before August 23, 2017. Having considered the motion, the Court is of the opinion that it should be GRANTED.

IT IS THEREFORE ORDERED that Defendants' Motion for a Stay is hereby GRANTED, and the Order Granting Section 2 Remedies and Terminating Interim Order is hereby STAYED with respect to the election scheduled for August 26, 2017 for Hamilton Independent School District, the election scheduled for September 9, 2017 for Raymondville Independent School District, and for all other elections for which early voting began on or before August 23, 2017.

IT IS SO ORDERED.

9/5/2017


UNITED STATES DISTRICT JUDGE

Alexy Rios

From: Louri O'Leary <LO'Leary@sos.texas.gov>
Sent: Monday, September 11, 2017 2:32 PM
To: Louri O'Leary
Subject: MASS E-Mail Advisory (CC/EA 655) Constitutional Amendments Full Text
Attachments: Constitutional Amendment Cover.pdf; Constitutional Amendments English.pdf; Constitutional Amendments Spanish.pdf; 2017 Full Text Constitutional Amendments Memo.pdf

Good Afternoon

Attached is the full text, with Spanish translations of the proposed constitutional amendments to be voted on November 7, 2017.

Please see the attached memorandum for further information.

If you have any questions concerning the documents or need any assistance, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

Thank you,
Louri O'Leary



Office of the Texas Secretary of State
Elections Division
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252. 2216 ♦ www.sos.state.tx.us/elections
D: 512.463.3204 ♦ F: 512.475.2811

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Rolando B. Pablos
Secretary of State

Phone: 512-463-5630
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

CONSTITUTIONAL AMENDMENTS

TO BE VOTED ON

NOVEMBER 7, 2017

ELECTION

FULL TEXT OF AMENDMENTS

STATE OF TEXAS PROPOSITION 1
HOUSE JOINT RESOLUTION

H.J.R. No. 21

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.J.R. 62, 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(1) The legislature by general law may provide that a partially disabled veteran is entitled to an exemption from ad valorem taxation of a percentage of the market value of the disabled veteran's residence homestead that is equal to the percentage of disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead, including at no cost to the disabled veteran. The legislature by general law may provide additional eligibility requirements for the exemption. For purposes of this subsection, "partially disabled veteran" means a disabled veteran as described by Section 2(b) of this article who is certified as having a disability rating of less than 100 percent. A limitation or restriction on a disabled veteran's entitlement to an exemption under Section 2(b) of this article, or on the amount of an exemption under Section 2(b), does not apply to an exemption under this subsection.

SECTION 2. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.J.R. 62, 83rd Legislature, Regular Session, 2013, is redesignated as Section 1-b(m), Article VIII, Texas Constitution, to read as follows:

(m) ~~(1)~~ The legislature by general law may provide that the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 3. Section 1-b(m), Article VIII, Texas Constitution, is redesignated as Section 1-b(n), Article VIII, Texas Constitution, and amended to read as follows:

(n) ~~(1)~~ The legislature by general law may provide that a surviving spouse who qualifies for and receives an exemption in accordance with Subsection (m) ~~(1)~~ of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (m) ~~(1)~~ of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 4. The proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related

provisions of the Texas Constitution."

STATE OF TEXAS PROPOSITION 2
SENATE JOINT RESOLUTION

S.J.R. No. 60

proposing a constitutional amendment establishing a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 50, Article XVI, Texas Constitution, is amended by amending Subsections (a), (f), (g), and (t) and adding Subsection (f-1) to read as follows:

(a) The homestead of a family, or of a single adult person, shall be, and is hereby protected from forced sale, for the payment of all debts except for:

(1) the purchase money thereof, or a part of such purchase money;

(2) the taxes due thereon;

(3) an owelty of partition imposed against the entirety of the property by a court order or by a written agreement of the parties to the partition, including a debt of one spouse in favor of the other spouse resulting from a division or an award of a family homestead in a divorce proceeding;

(4) the refinance of a lien against a homestead, including a federal tax lien resulting from the tax debt of both spouses, if the homestead is a family homestead, or from the tax debt of the owner;

(5) work and material used in constructing new improvements thereon, if contracted for in writing, or work and material used to repair or renovate existing improvements thereon if:

(A) the work and material are contracted for in writing, with the consent of both spouses, in the case of a family homestead, given in the same manner as is required in making a sale and conveyance of the homestead;

(B) the contract for the work and material is not executed by the owner or the owner's spouse before the fifth day after the owner makes written application for any extension of credit for the work and material, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing;

(C) the contract for the work and material expressly provides that the owner may rescind the contract without penalty or charge within three days after the execution of the contract by all parties, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing; and

(D) the contract for the work and material is executed by the owner and the owner's spouse only at the office of a third-party lender making an extension of credit for the work and material, an attorney at law, or a title company;

(6) an extension of credit that:

(A) is secured by a voluntary lien on the homestead created under a written agreement with the consent of each owner and each owner's spouse;

(B) is of a principal amount that when added to the aggregate total of the outstanding principal balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of

the homestead on the date the extension of credit is made;

(C) is without recourse for personal liability against each owner and the spouse of each owner, unless the owner or spouse obtained the extension of credit by actual fraud;

(D) is secured by a lien that may be foreclosed upon only by a court order;

(E) does not require the owner or the owner's spouse to pay, in addition to any interest or any bona fide discount points used to buy down the interest rate, any fees to any person that are necessary to originate, evaluate, maintain, record, insure, or service the extension of credit that exceed, in the aggregate, ~~two~~ three percent of the original principal amount of the extension of credit, excluding fees for:

i) an appraisal performed by a third party appraiser;

ii) a property survey performed by a state registered or licensed surveyor;

iii) a state base premium for a mortgagee policy of title insurance with endorsements established in accordance with state law; or

iv) a title examination report if its cost is less than the state base premium for a mortgagee policy of title insurance without endorsements established in accordance with state law;

(F) is not a form of open-end account that may be debited from time to time or under which credit may be extended from time to time unless the open-end account is a home equity line of credit;

(G) is payable in advance without penalty or other charge;

(H) is not secured by any additional real or personal property other than the homestead;

(I) ~~repealed~~ ~~[is not secured by homestead property that on the date of closing is designated for agricultural use as provided by statutes governing property tax, unless such homestead property is used primarily for the production of milk];~~

(J) may not be accelerated because of a decrease in the market value of the homestead or because of the owner's default under other indebtedness not secured by a prior valid encumbrance against the homestead;

(K) is the only debt secured by the homestead at the time the extension of credit is made unless the other debt was made for a purpose described by Subsections (a)(1)-(a)(5) or Subsection (a)(8) of this section;

(L) is scheduled to be repaid:

i) in substantially equal successive periodic installments, not more often than every 14 days and not less often than monthly, beginning no later than two months from the date the extension of credit is made, each of which equals or exceeds the amount of accrued interest as of the date of the scheduled installment; or

ii) if the extension of credit is a home equity line of credit, in periodic payments described under Subsection (t)(8) of this section;

(M) is closed not before:

i) the 12th day after the later of the date that the owner of the homestead submits a loan application to the lender for the extension of credit or the date that the lender provides the owner a copy of the notice prescribed by Subsection (g) of this section;

ii) one business day after the date that the owner of the homestead receives a copy of the loan application if not previously provided and a final itemized disclosure of the actual fees, points, interest, costs, and charges that will be charged at closing. If a bona fide emergency or another good cause exists and the lender obtains the written consent of the owner, the lender may provide the documentation to the owner or the lender may

modify previously provided documentation on the date of closing;
and

(iii) the first anniversary of the closing date of any other extension of credit described by Subsection (a)(6) of this section secured by the same homestead property, except a refinance described by Paragraph (Q)(x)(f) of this subdivision, unless the owner on oath requests an earlier closing due to a state of emergency that:

(a) has been declared by the president of the United States or the governor as provided by law; and

(b) applies to the area where the homestead is located;

(N) is closed only at the office of the lender, an attorney at law, or a title company;

(O) permits a lender to contract for and receive any fixed or variable rate of interest authorized under statute;

(P) is made by one of the following that has not been found by a federal regulatory agency to have engaged in the practice of refusing to make loans because the applicants for the loans reside or the property proposed to secure the loans is located in a certain area:

(i) a bank, savings and loan association, savings bank, or credit union doing business under the laws of this state or the United States, including a subsidiary of a bank, savings and loan association, savings bank, or credit union described by this subparagraph;

(ii) a federally chartered lending instrumentality or a person approved as a mortgagee by the United States government to make federally insured loans;

(iii) a person licensed to make regulated loans, as provided by statute of this state;

(iv) a person who sold the homestead property to the current owner and who provided all or part of the financing for the purchase;

(v) a person who is related to the homestead property owner within the second degree of affinity or consanguinity; or

(vi) a person regulated by this state as a mortgage banker or mortgage company ~~broker~~; and

(Q) is made on the condition that:

(i) the owner of the homestead is not required to apply the proceeds of the extension of credit to repay another debt except debt secured by the homestead or debt to another lender;

(ii) the owner of the homestead not assign wages as security for the extension of credit;

(iii) the owner of the homestead not sign any instrument in which blanks relating to substantive terms of agreement are left to be filled in;

(iv) the owner of the homestead not sign a confession of judgment or power of attorney to the lender or to a third person to confess judgment or to appear for the owner in a judicial proceeding;

(v) at the time the extension of credit is made, the owner of the homestead shall receive a copy of the final loan application and all executed documents signed by the owner at closing related to the extension of credit;

(vi) the security instruments securing the extension of credit contain a disclosure that the extension of credit is the type of credit defined by Subsection (a)(6) of this section ~~[Section 50(a)(6), Article XVI, Texas Constitution];~~

(vii) within a reasonable time after termination and full payment of the extension of credit, the lender cancel and return the promissory note to the owner of the homestead and give the owner, in recordable form, a release of the lien securing the extension of credit or a copy of an endorsement and assignment of the lien to a lender that is refinancing the

extension of credit;

viii) the owner of the homestead and any spouse of the owner may, within three days after the extension of credit is made, rescind the extension of credit without penalty or charge;

ix) the owner of the homestead and the lender sign a written acknowledgment as to the fair market value of the homestead property on the date the extension of credit is made;

x) except as provided by Subparagraph (xi) of this paragraph, the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the lender or holder fails to comply with the lender's or holder's obligations under the extension of credit and fails to correct the failure to comply not later than the 60th day after the date the lender or holder is notified by the borrower of the lender's failure to comply by:

(a) paying to the owner an amount equal to any overcharge paid by the owner under or related to the extension of credit if the owner has paid an amount that exceeds an amount stated in the applicable Paragraph (E), (G), or (O) of this subdivision;

(b) sending the owner a written acknowledgement that the lien is valid only in the amount that the extension of credit does not exceed the percentage described by Paragraph (B) of this subdivision, if applicable, or is not secured by property described under Paragraph (H) ~~{or (I)}~~ of this subdivision, if applicable;

(c) sending the owner a written notice modifying any other amount, percentage, term, or other provision prohibited by this section to a permitted amount, percentage, term, or other provision and adjusting the account of the borrower to ensure that the borrower is not required to pay more than an amount permitted by this section and is not subject to any other term or provision prohibited by this section;

(d) delivering the required documents to the borrower if the lender fails to comply with Subparagraph (v) of this paragraph or obtaining the appropriate signatures if the lender fails to comply with Subparagraph (ix) of this paragraph;

(e) sending the owner a written acknowledgement, if the failure to comply is prohibited by Paragraph (K) of this subdivision, that the accrual of interest and all of the owner's obligations under the extension of credit are abated while any prior lien prohibited under Paragraph (K) remains secured by the homestead; or

(f) if the failure to comply cannot be cured under Subparagraphs (x)(a)-(e) of this paragraph, curing the failure to comply by a refund or credit to the owner of \$1,000 and offering the owner the right to refinance the extension of credit with the lender or holder for the remaining term of the loan at no cost to the owner on the same terms, including interest, as the original extension of credit with any modifications necessary to comply with this section or on terms on which the owner and the lender or holder otherwise agree that comply with this section; and

xi) the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the extension of credit is made by a person other than a person described under Paragraph (P) of this subdivision or if the lien was not created under a written agreement with the consent of each owner and each owner's spouse, unless each owner and each owner's spouse who did not initially consent subsequently consents;

(7) a reverse mortgage; or

(8) the conversion and refinance of a personal property lien secured by a manufactured home to a lien on real property, including the refinance of the purchase price of the manufactured home, the cost of installing the manufactured home on the real property, and the refinance of the purchase price of the real

property.

(f) A refinance of debt secured by the homestead, any portion of which is an extension of credit described by Subsection (a)(6) of this section, may not be secured by a valid lien against the homestead unless either:

(1) the refinance of the debt is an extension of credit described by Subsection (a)(6) or (a)(7) of this section; or

(2) all of the following conditions are met:

(A) the refinance is not closed before the first anniversary of the date the extension of credit was closed;

(B) the refinanced extension of credit does not include the advance of any additional funds other than:

(i) funds advanced to refinance a debt described by Subsections (a)(1) through (a)(7) of this section; or

(ii) actual costs and reserves required by the lender to refinance the debt;

(C) the refinance of the extension of credit is of a principal amount that when added to the aggregate total of the outstanding principal balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of the homestead on the date the refinance of the extension of credit is made; and

(D) the lender provides the owner the following written notice on a separate document not later than the third business day after the date the owner submits the loan application to the lender and at least 12 days before the date the refinance of the extension of credit is closed:

"YOUR EXISTING LOAN THAT YOU DESIRE TO REFINANCE IS A HOME EQUITY LOAN. YOU MAY HAVE THE OPTION TO REFINANCE YOUR HOME EQUITY LOAN AS EITHER A HOME EQUITY LOAN OR AS A NON-HOME EQUITY LOAN, IF OFFERED BY YOUR LENDER.

"HOME EQUITY LOANS HAVE IMPORTANT CONSUMER PROTECTIONS. A LENDER MAY ONLY FORECLOSE A HOME EQUITY LOAN BASED ON A COURT ORDER. A HOME EQUITY LOAN MUST BE WITHOUT RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE.

"IF YOU HAVE APPLIED TO REFINANCE YOUR EXISTING HOME EQUITY LOAN AS A NON-HOME EQUITY LOAN, YOU WILL LOSE CERTAIN CONSUMER PROTECTIONS. A NON-HOME EQUITY REFINANCED LOAN:

"(1) WILL PERMIT THE LENDER TO FORECLOSE WITHOUT A COURT ORDER;

"(2) WILL BE WITH RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE; AND

"(3) MAY ALSO CONTAIN OTHER TERMS OR CONDITIONS THAT MAY NOT BE PERMITTED IN A TRADITIONAL HOME EQUITY LOAN.

"BEFORE YOU REFINANCE YOUR EXISTING HOME EQUITY LOAN TO MAKE IT A NON-HOME EQUITY LOAN, YOU SHOULD MAKE SURE YOU UNDERSTAND THAT YOU ARE WAIVING IMPORTANT PROTECTIONS THAT HOME EQUITY LOANS PROVIDE UNDER THE LAW AND SHOULD CONSIDER CONSULTING WITH AN ATTORNEY OF YOUR CHOOSING REGARDING THESE PROTECTIONS.

"YOU MAY WISH TO ASK YOUR LENDER TO REFINANCE YOUR LOAN AS A HOME EQUITY LOAN. HOWEVER, A HOME EQUITY LOAN MAY HAVE A HIGHER INTEREST RATE AND CLOSING COSTS THAN A NON-HOME EQUITY LOAN."

(f-1) A lien securing a refinance of debt under Subsection (f)(2) of this section is deemed to be a lien described by Subsection (a)(4) of this section. An affidavit executed by the owner or the owner's spouse acknowledging that the requirements of Subsection (f)(2) of this section have been met conclusively establishes that the requirements of Subsection (a)(4) of this section have been met.

(g) An extension of credit described by Subsection (a)(6) of this section may be secured by a valid lien against homestead property if the extension of credit is not closed before the 12th day after the lender provides the owner with the following written notice on a separate instrument:

"NOTICE CONCERNING EXTENSIONS OF CREDIT DEFINED BY SECTION 50(a)(6), ARTICLE XVI, TEXAS CONSTITUTION:

"SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION

ALLOWS CERTAIN LOANS TO BE SECURED AGAINST THE EQUITY IN YOUR HOME. SUCH LOANS ARE COMMONLY KNOWN AS EQUITY LOANS. IF YOU DO NOT REPAY THE LOAN OR IF YOU FAIL TO MEET THE TERMS OF THE LOAN, THE LENDER MAY FORECLOSE AND SELL YOUR HOME. THE CONSTITUTION PROVIDES THAT:

"(A) THE LOAN MUST BE VOLUNTARILY CREATED WITH THE CONSENT OF EACH OWNER OF YOUR HOME AND EACH OWNER'S SPOUSE;

"(B) THE PRINCIPAL LOAN AMOUNT AT THE TIME THE LOAN IS MADE MUST NOT EXCEED AN AMOUNT THAT, WHEN ADDED TO THE PRINCIPAL BALANCES OF ALL OTHER LIENS AGAINST YOUR HOME, IS MORE THAN 80 PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME;

"(C) THE LOAN MUST BE WITHOUT RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE UNLESS YOU OR YOUR SPOUSE OBTAINED THIS EXTENSION OF CREDIT BY ACTUAL FRAUD;

"(D) THE LIEN SECURING THE LOAN MAY BE FORECLOSED UPON ONLY WITH A COURT ORDER;

"(E) FEES AND CHARGES TO MAKE THE LOAN MAY NOT EXCEED 2 (3) PERCENT OF THE LOAN AMOUNT, EXCEPT FOR A FEE OR CHARGE FOR AN APPRAISAL PERFORMED BY A THIRD PARTY APPRAISER, A PROPERTY SURVEY PERFORMED BY A STATE REGISTERED OR LICENSED SURVEYOR, A STATE BASE PREMIUM FOR A MORTGAGEE POLICY OF TITLE INSURANCE WITH ENDORSEMENTS, OR A TITLE EXAMINATION REPORT;

"(F) THE LOAN MAY NOT BE AN OPEN-END ACCOUNT THAT MAY BE DEBITED FROM TIME TO TIME OR UNDER WHICH CREDIT MAY BE EXTENDED FROM TIME TO TIME UNLESS IT IS A HOME EQUITY LINE OF CREDIT;

"(G) YOU MAY PREPAY THE LOAN WITHOUT PENALTY OR CHARGE;

"(H) NO ADDITIONAL COLLATERAL MAY BE SECURITY FOR THE LOAN;

"(I) ~~(repealed) [THE LOAN MAY NOT BE SECURED BY HOMESTEAD PROPERTY THAT IS DESIGNATED FOR AGRICULTURAL USE AS OF THE DATE OF CLOSING, UNLESS THE AGRICULTURAL HOMESTEAD PROPERTY IS USED PRIMARILY FOR THE PRODUCTION OF MILK];~~

"(J) YOU ARE NOT REQUIRED TO REPAY THE LOAN EARLIER THAN AGREED SOLELY BECAUSE THE FAIR MARKET VALUE OF YOUR HOME DECREASES OR BECAUSE YOU DEFAULT ON ANOTHER LOAN THAT IS NOT SECURED BY YOUR HOME;

"(K) ONLY ONE LOAN DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION MAY BE SECURED WITH YOUR HOME AT ANY GIVEN TIME;

"(L) THE LOAN MUST BE SCHEDULED TO BE REPAYED IN PAYMENTS THAT EQUAL OR EXCEED THE AMOUNT OF ACCRUED INTEREST FOR EACH PAYMENT PERIOD;

"(M) THE LOAN MAY NOT CLOSE BEFORE 12 DAYS AFTER YOU SUBMIT A LOAN APPLICATION TO THE LENDER OR BEFORE 12 DAYS AFTER YOU RECEIVE THIS NOTICE, WHICHEVER DATE IS LATER; AND MAY NOT WITHOUT YOUR CONSENT CLOSE BEFORE ONE BUSINESS DAY AFTER THE DATE ON WHICH YOU RECEIVE A COPY OF YOUR LOAN APPLICATION IF NOT PREVIOUSLY PROVIDED AND A FINAL ITEMIZED DISCLOSURE OF THE ACTUAL FEES, POINTS, INTEREST, COSTS, AND CHARGES THAT WILL BE CHARGED AT CLOSING; AND IF YOUR HOME WAS SECURITY FOR THE SAME TYPE OF LOAN WITHIN THE PAST YEAR, A NEW LOAN SECURED BY THE SAME PROPERTY MAY NOT CLOSE BEFORE ONE YEAR HAS PASSED FROM THE CLOSING DATE OF THE OTHER LOAN, UNLESS ON OATH YOU REQUEST AN EARLIER CLOSING DUE TO A DECLARED STATE OF EMERGENCY;

"(N) THE LOAN MAY CLOSE ONLY AT THE OFFICE OF THE LENDER, TITLE COMPANY, OR AN ATTORNEY AT LAW;

"(O) THE LENDER MAY CHARGE ANY FIXED OR VARIABLE RATE OF INTEREST AUTHORIZED BY STATUTE;

"(P) ONLY A LAWFULLY AUTHORIZED LENDER MAY MAKE LOANS DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION;

"(Q) LOANS DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION MUST:

"(1) NOT REQUIRE YOU TO APPLY THE PROCEEDS TO ANOTHER DEBT EXCEPT A DEBT THAT IS SECURED BY YOUR HOME OR OWED TO ANOTHER LENDER;

"(2) NOT REQUIRE THAT YOU ASSIGN WAGES AS SECURITY;

"(3) NOT REQUIRE THAT YOU EXECUTE INSTRUMENTS WHICH HAVE

BLANKS FOR SUBSTANTIVE TERMS OF AGREEMENT LEFT TO BE FILLED IN;

"(4) NOT REQUIRE THAT YOU SIGN A CONFESSION OF JUDGMENT OR POWER OF ATTORNEY TO ANOTHER PERSON TO CONFESS JUDGMENT OR APPEAR IN A LEGAL PROCEEDING ON YOUR BEHALF;

"(5) PROVIDE THAT YOU RECEIVE A COPY OF YOUR FINAL LOAN APPLICATION AND ALL EXECUTED DOCUMENTS YOU SIGN AT CLOSING;

"(6) PROVIDE THAT THE SECURITY INSTRUMENTS CONTAIN A DISCLOSURE THAT THIS LOAN IS A LOAN DEFINED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION;

"(7) PROVIDE THAT WHEN THE LOAN IS PAID IN FULL, THE LENDER WILL SIGN AND GIVE YOU A RELEASE OF LIEN OR AN ASSIGNMENT OF THE LIEN, WHICHEVER IS APPROPRIATE;

"(8) PROVIDE THAT YOU MAY, WITHIN 3 DAYS AFTER CLOSING, RESCIND THE LOAN WITHOUT PENALTY OR CHARGE;

"(9) PROVIDE THAT YOU AND THE LENDER ACKNOWLEDGE THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LOAN CLOSES; AND

"(10) PROVIDE THAT THE LENDER WILL FORFEIT ALL PRINCIPAL AND INTEREST IF THE LENDER FAILS TO COMPLY WITH THE LENDER'S OBLIGATIONS UNLESS THE LENDER CURES THE FAILURE TO COMPLY AS PROVIDED BY SECTION 50(a)(6)(Q)(x), ARTICLE XVI, OF THE TEXAS CONSTITUTION; AND

"(R) IF THE LOAN IS A HOME EQUITY LINE OF CREDIT:

"(1) YOU MAY REQUEST ADVANCES, REPAY MONEY, AND REBORROW MONEY UNDER THE LINE OF CREDIT;

"(2) EACH ADVANCE UNDER THE LINE OF CREDIT MUST BE IN AN AMOUNT OF AT LEAST \$4,000;

"(3) YOU MAY NOT USE A CREDIT CARD, DEBIT CARD, OR SIMILAR DEVICE, OR PREPRINTED CHECK THAT YOU DID NOT SOLICIT, TO OBTAIN ADVANCES UNDER THE LINE OF CREDIT;

"(4) ANY FEES THE LENDER CHARGES MAY BE CHARGED AND COLLECTED ONLY AT THE TIME THE LINE OF CREDIT IS ESTABLISHED AND THE LENDER MAY NOT CHARGE A FEE IN CONNECTION WITH ANY ADVANCE;

"(5) THE MAXIMUM PRINCIPAL AMOUNT THAT MAY BE EXTENDED, WHEN ADDED TO ALL OTHER DEBTS SECURED BY YOUR HOME, MAY NOT EXCEED 80 PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LINE OF CREDIT IS ESTABLISHED;

"(6) IF THE PRINCIPAL BALANCE UNDER THE LINE OF CREDIT AT ANY TIME EXCEEDS 80 [50] PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME, AS DETERMINED ON THE DATE THE LINE OF CREDIT IS ESTABLISHED, YOU MAY NOT CONTINUE TO REQUEST ADVANCES UNDER THE LINE OF CREDIT UNTIL THE BALANCE IS LESS THAN 80 [50] PERCENT OF THE FAIR MARKET VALUE; AND

"(7) THE LENDER MAY NOT UNILATERALLY AMEND THE TERMS OF THE LINE OF CREDIT.

"THIS NOTICE IS ONLY A SUMMARY OF YOUR RIGHTS UNDER THE TEXAS CONSTITUTION. YOUR RIGHTS ARE GOVERNED BY SECTION 50, ARTICLE XVI, OF THE TEXAS CONSTITUTION, AND NOT BY THIS NOTICE."

If the discussions with the borrower are conducted primarily in a language other than English, the lender shall, before closing, provide an additional copy of the notice translated into the written language in which the discussions were conducted.

(t) A home equity line of credit is a form of an open-end account that may be debited from time to time, under which credit may be extended from time to time and under which:

(1) the owner requests advances, repays money, and reborrows money;

(2) any single debit or advance is not less than \$4,000;

(3) the owner does not use a credit card, debit card, or similar device, or preprinted check unsolicited by the borrower, to obtain an advance;

(4) any fees described by Subsection (a)(6)(E) of this section are charged and collected only at the time the extension of credit is established and no fee is charged or collected in connection with any debit or advance;

(5) the maximum principal amount that may be extended under the account, when added to the aggregate total of the outstanding principal balances of all indebtedness secured by the

homestead on the date the extension of credit is established, does not exceed an amount described under Subsection (a)(6)(B) of this section;

(6) ~~(repealed) [no additional debits or advances are made if the total principal amount outstanding exceeds an amount equal to 50 percent of the fair market value of the homestead as determined on the date the account is established];~~

(7) the lender or holder may not unilaterally amend the extension of credit; and

(8) repayment is to be made in regular periodic installments, not more often than every 14 days and not less often than monthly, beginning not later than two months from the date the extension of credit is established, and:

(A) during the period during which the owner may request advances, each installment equals or exceeds the amount of accrued interest; and

(B) after the period during which the owner may request advances, installments are substantially equal.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

(b) The constitutional amendment takes effect January 1, 2018.

(c) The changes in law made by the constitutional amendment apply only to a home equity loan made on or after the effective date of the constitutional amendment and to an existing home equity loan that is refinanced on or after the effective date of the constitutional amendment.

(d) This temporary provision takes effect on the adoption of the constitutional amendment by the voters and expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads."

STATE OF TEXAS PROPOSITION 3

S.J.R. No. 34

SENATE JOINT RESOLUTION

proposing a constitutional amendment limiting the service of certain officeholders after the expiration of the person's term of office.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 17, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 17. (a) Except as provided by Subsection (b) of this section, all [All] officers of [within] this State shall continue to perform the duties of their offices until their successors shall be duly qualified.

(b) Following the expiration of a term of an appointive

office that is filled by appointment of the Governor with the advice and consent of the Senate and that is not an office for which the officer receives a salary, the period for which the officer shall continue to perform the duties of office under Subsection (a) of this section ends on the last day of the first regular session of the Legislature that begins after the expiration of the term.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person's term of office."

STATE OF TEXAS PROPOSITION 4

S.J.R. No. 6

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article V, Texas Constitution, is amended by adding Section 32 to read as follows:

Sec. 32. Notwithstanding Section 1, Article II, of this constitution, the legislature may:

(1) require a court in which a party to litigation files a petition, motion, or other pleading challenging the constitutionality of a statute of this state to provide notice to the attorney general of the challenge if the party raising the challenge notifies the court that the party is challenging the constitutionality of the statute; and

(2) prescribe a reasonable period, which may not exceed 45 days, after the provision of that notice during which the court may not enter a judgment holding the statute unconstitutional.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies with respect to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period, not to exceed 45 days, before the court may enter a judgment holding the statute unconstitutional.

(b) Section 402.010, Government Code, as added by Chapter 808 (H.B. 2425), Acts of the 82nd Legislature, Regular Session, 2011, and amended by Chapter 1162 (S.B. 392) and Chapter 1276 (H.B. 1435), Acts of the 83rd Legislature, Regular Session, 2013, is validated and effective on approval of the constitutional amendment described by Subsection (a) of this temporary provision and applies only to a petition, motion, or other pleading filed on or after January 1, 2018.

(c) This temporary provision expires January 2, 2018.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional."

STATE OF TEXAS PROPOSITION 5
HOUSE JOINT RESOLUTION

H.J.R. No. 100

proposing a constitutional amendment on professional sports team charitable foundations conducting charitable raffles.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47(d-1), Article III, Texas Constitution, is amended to read as follows:

(d-1) The legislature by general law may permit a professional sports team charitable foundation to conduct charitable raffles under the terms and conditions imposed by general law. The law may authorize the charitable foundation to pay with the raffle proceeds reasonable advertising, promotional, and administrative expenses. A law enacted under this subsection applies ~~[may apply]~~ only to an entity ~~[that is]~~ defined as a professional sports team charitable foundation under that law ~~[on January 1, 2016]~~ and may only allow charitable raffles to be conducted at games hosted at the home venue of the professional sports team associated with a professional sports team charitable foundation. In this subsection, "professional sports team" means:

(1) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association;

(2) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000;

(3) an organization hosting a Professional Golf Association event;

(4) any other professional sports team defined by law.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment on professional sports team charitable foundations conducting charitable raffles."

STATE OF TEXAS PROPOSITION 6
SENATE JOINT RESOLUTION

S.J.R. No. 1

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b, Article VIII, Texas Constitution, is amended by adding Sections (o) and (p) to read as follows:

(o) The legislature by general law may provide that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the first responder. The legislature by general law may define "first responder" for purposes of this subsection and may prescribe additional eligibility requirements for the exemption authorized by this subsection.

(p) The legislature by general law may provide that a

surviving spouse who qualifies for and receives an exemption in accordance with Subsection (o) of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (o) of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the first responder.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

(b) Sections 1-b(o) and (p), Article VIII, of this constitution take effect January 1, 2018, and apply only to a tax year beginning on or after that date.

(c) This temporary provision expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty."

STATE OF TEXAS PROPOSITION 7

H.J.R. No. 37

HOUSE JOINT RESOLUTION

proposing a constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47, Article III, Texas Constitution, is amended by adding Subsection (d-2) to read as follows:

(d-2) Subsection (a) of this section does not prohibit the legislature from authorizing credit unions and other financial institutions to conduct, under the terms and conditions imposed by general law, promotional activities to promote savings in which prizes are awarded to one or more of the credit union's or financial institution's depositors selected by lot.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings."

PROPUESTA NÚMERO 1 DEL ESTADO DE TEXAS

H.J.R. Nº 21

RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de una parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor del mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 1-b(1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 24, 83ª Sesión Legislativa, Sesión Regular, 2013, se enmienda para leerse de la siguiente manera:

(1) La legislatura, por ley general, puede disponer que un veterano parcialmente discapacitado tiene derecho a recibir una exención del impuesto ad valorem en un porcentaje del valor de mercado de la residencia principal del veterano discapacitado que sea igual al porcentaje de discapacidad del veterano discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia principal, o incluso a ningún costo para el veterano discapacitado. La legislatura, por ley general, puede disponer requisitos de elegibilidad adicionales para recibir la exención. Para los propósitos de esta subsección, un "veterano parcialmente discapacitado" es un veterano discapacitado tal como se describe en la Sección 2(b) de este artículo, que posee un certificado que indica que tiene una clasificación de discapacidad de menos del 100 por ciento. Una limitación o restricción al derecho de un veterano discapacitado a recibir una exención conforme a la Sección 2(b) de este artículo, o al monto de una exención conforme a la Sección 2(b), no se aplica a las exenciones conforme a esta subsección.

SECCIÓN 2. La Sección 1-b(1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 62, 83ª Sesión Legislativa, Sesión Regular, 2013, es redesignada como Sección 1-b(m), Artículo VIII, de la Constitución de Texas, para leerse de la siguiente manera:

(m) ~~((1))~~ La legislatura, por ley general, puede disponer que el cónyuge sobreviviente de un miembro de las fuerzas armadas de los Estados Unidos que resulte muerto en combate tenga derecho a recibir una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente mientras este no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 3. La Sección 1-b(m), Artículo VIII, de la Constitución de Texas, es redesignada como Sección 1-b(n), Artículo VIII, de la Constitución de Texas, y modificada para leerse de la siguiente manera:

(n) ~~((m))~~ La legislatura, por ley general, puede disponer que un cónyuge sobreviviente, que califica para recibir y recibe una exención según lo establecido en la Subsección (m) ~~((1))~~ de esta sección y que posteriormente califica una propiedad distinta como su residencia principal, tiene derecho a recibir una exención del impuesto ad valorem de la residencia calificada posteriormente en un monto equivalente al valor en dólares de la exención del impuesto ad valorem de la primera

residencia para la cual se recibió la exención conforme a la Subsección (m) [(4)] de esta sección en el último año en que el cónyuge sobreviviente recibió la exención conforme a esa subsección para esa residencia, mientras el cónyuge sobreviviente no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 4. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: “La enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de una parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas”.

PROPUESTA NÚMERO 2 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 60

Se propone una enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para el anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 50, Artículo XVI, de la Constitución de Texas, se enmienda para modificar las Subsecciones (a), (f), (g) y (t) y añadir la Subsección (f-1) para leerse de la siguiente manera:

(a) La vivienda de una familia o una persona adulta soltera será y por la presente está protegida contra la venta forzosa para el pago de todas las deudas, con excepción de:

- (1) el precio de compra o una parte de ese precio de compra;
- (2) los impuestos que correspondan;
- (3) las sumas equitativas pagadas por una parte a otra impuestas sobre la totalidad de la propiedad por una orden del tribunal o por un acuerdo escrito entre las partes de la división, incluida la deuda de un cónyuge a favor del otro que resulte de la división o la adjudicación de una residencia familiar en un juicio de divorcio;
- (4) el refinanciamiento de un gravamen sobre una vivienda, incluso el gravamen del impuesto federal que resulta de la deuda tributaria de ambos cónyuges, si la vivienda es una residencia familiar, o de la deuda tributaria del propietario;
- (5) el trabajo y los materiales utilizados para construir nuevas mejoras en la vivienda, si fueron contratados por escrito, o el trabajo y los materiales utilizados para reparar o renovar las mejoras existentes que hubiera si:

(A) el trabajo y los materiales son contratados por escrito con el consentimiento de ambos cónyuges en el caso de una residencia familiar, y proporcionados de la misma manera que se exige al hacer la venta y la transferencia de la vivienda;

(B) el contrato por el trabajo y los materiales no es formalizado por el propietario o por el cónyuge del propietario antes del quinto día después de que el propietario presenta una solicitud escrita para cualquier extensión del crédito por el trabajo y los materiales, a menos que el trabajo y los materiales sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y que el propietario de la vivienda lo deje asentado por escrito;

(C) el contrato por el trabajo y los materiales dispone expresamente que el propietario puede rescindir el contrato sin penalización ni cargos dentro de los tres días posteriores a la firma del contrato por todas las partes, a menos que el trabajo y los materiales

sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y el propietario de la vivienda lo deje asentado por escrito; y

(D) el contrato por el trabajo y los materiales es formalizado por el propietario y el cónyuge del propietario sólo en la oficina de un prestamista externo que hace una extensión del crédito por el trabajo y los materiales, un abogado o una compañía de títulos de propiedad;

(6) una extensión del crédito que:

(A) está garantizada mediante un gravamen voluntario sobre la propiedad, creado conforme a un acuerdo escrito con el consentimiento de todos los propietarios y los cónyuges de todos los propietarios;

(B) es de un monto principal que al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad no supera el 80 por ciento del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(C) no tiene posibilidad recurrir a la responsabilidad personal contra cada propietario y el cónyuge de cada propietario, a menos que el propietario o su cónyuge hayan obtenido la extensión del crédito mediante un fraude;

(D) está garantizada por un gravamen que puede ser ejecutado sólo por una orden de un tribunal;

(E) no requiere que el propietario o el cónyuge del propietario pague, además de cualquier interés ~~o gastos de descuento de buena fe utilizados para reducir la tasa de interés, cualquier~~ tasa a cualquier persona que sea necesaria para crear, evaluar, mantener, registrar, garantizar o revisar la extensión del crédito que supere, en la suma total, el ~~dos~~ [tres] por ciento del monto principal original de la extensión del crédito, excepto tasas por:

(i) una valoración impositiva realizada por un tasador externo;

(ii) la agrimensura de la propiedad realizada por un agrimensurador registrado o licenciado en el estado;

(iii) una prima de base estatal por una póliza de seguro de título para hipoteca con respaldos establecidos de acuerdo con las leyes del estado; o

(iv) un informe de evaluación de título, si su costo es menor que la prima de base estatal por una póliza de seguro de título para hipoteca sin respaldos establecidos de acuerdo con las leyes del estado;

(F) no es un tipo de línea de crédito abierta que puede ser debitada ocasionalmente o conforme a la cual el crédito puede ser extendido ocasionalmente, a menos que la línea de crédito abierta sea una línea de crédito con respaldo hipotecario;

(G) es prepagada por anticipado sin penalización ni otros cargos;

(H) no está garantizada por ninguna propiedad real o personal adicional distinto de la vivienda;

(I) ~~(derogada)~~ [no está garantizada por una vivienda que a la fecha de cierre sea designada para uso agrícola, según lo establecido por las leyes que rigen el impuesto a la propiedad, a menos que tal vivienda sea utilizada principalmente para la producción de leche];

(J) no puede acelerarse por una disminución en el valor de mercado de la vivienda o por el incumplimiento del propietario con respecto a otras deudas no garantizadas por una carga válida anterior contra la vivienda;

(K) es la única deuda garantizada por la vivienda en el momento en que se hace la extensión del crédito, a menos que la otra deuda haya sido hecha por un propósito descrito en las Subsecciones (a)(1)-(a)(5) o la Subsección (a)(8) de esta sección;

(L) está programada para ser liquidada:

(i) en sucesivas cuotas regulares sustancialmente iguales, no más frecuentemente que cada 14 días y no menos frecuentemente que cada mes, empezando no más de dos meses después de la fecha en que se hace la extensión del crédito, cada una de las cuales equivale o supera la cantidad de interés acumulado desde la fecha de la cuota programada; o

(ii) si la extensión del crédito es una línea de crédito con respaldo hipotecario, en cuotas regulares descritas conforme a la Subsección (t)(8) de esta sección;

(M) no se cierra antes:

(i) del día 12 después de la fecha más posterior entre las siguientes:
la fecha en que el propietario de la vivienda le presenta una solicitud de préstamo al prestamista por la extensión del crédito o la fecha en que el prestamista le da al propietario una copia del aviso prescrito en la Subsección (g) de esta sección;

(ii) de un día hábil después de la fecha en que el propietario de la vivienda recibe una copia de la solicitud de préstamo si no ha sido proporcionada anteriormente y una divulgación final detallada de las tasas, puntos, intereses, costos y cargos reales que serán cobrados en el cierre. Si existe una emergencia de buena fe u otra buena causa y el prestamista obtiene el consentimiento escrito del propietario, el prestamista puede proporcionarle la documentación al propietario o puede modificar la documentación proporcionada anteriormente en la fecha de cierre; y

(iii) el primer aniversario de la fecha de cierre de cualquier otra extensión del crédito descrita en la Subsección (a)(6) de esta sección garantizada por la misma vivienda, excepto un refinanciamiento descrito en el Párrafo (Q)(x)(f) de esta subdivisión, a menos que el propietario requiera bajo juramento un cierre anterior debido a un estado de emergencia que:

(a) haya sido declarado por el presidente de los Estados Unidos o por el gobernador según lo establecido por la ley; y

(b) se aplique al área en la que está ubicada la vivienda;

(N) se cierra sólo en la oficina del prestamista, un abogado o una compañía de títulos de propiedad;

(O) permite que un prestamista contrate y reciba cualquier tasa de interés fija o variable autorizada de acuerdo con la ley;

(P) es realizada por uno de los siguientes establecimientos que, de acuerdo a una agencia regulatoria federal, no se ha visto involucrado en la práctica de negarse a hacer préstamos porque los solicitantes de los préstamos residen o la propiedad propuesta para garantizar los préstamos está ubicada en una cierta área:

(i) un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito que hace negocios conforme a las leyes de este estado o de los Estados Unidos, incluso la subsidiaria de un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito descritos en este subpárrafo;

(ii) un organismo de préstamo autorizado por el gobierno federal o una persona autorizada como acreedor hipotecario por el gobierno de los Estados Unidos para hacer préstamos con garantía federal;

(iii) una persona licenciada para hacer préstamos regulados, según lo establecido por la ley de este estado;

(iv) una persona que vendió la vivienda al propietario actual y que proporcionó la totalidad o parte del financiamiento para la compra;

(v) una persona que es familiar del propietario de la residencia en segundo grado de afinidad o consanguinidad; o

(vi) una persona regulada por este estado como [agente] entidad de préstamos hipotecarios o compañía de préstamos hipotecarios; y

(Q) se hace con la condición de que:

(i) el propietario de la vivienda no tenga que aplicar los ingresos de la extensión del crédito para liquidar otra deuda, excepto las deudas garantizadas por la vivienda o las deudas a otro prestamista;

(ii) el propietario de la vivienda no asigne salarios como garantía por la extensión del crédito;

(iii) el propietario de la vivienda no firme ningún documento en el que haya espacios vacíos para rellenar relacionados con términos sustanciales del acuerdo;

(iv) el propietario de la vivienda no firme una declaración jurada de admisión de deuda o poder notarial al prestamista o a un tercero para admitir su deuda o para aparecer por el propietario en un procedimiento judicial;

(v) en el momento en que se hace la extensión del crédito, el propietario de la vivienda debe recibir una copia de la solicitud final de préstamo y de todos los documentos formalizados firmados por el propietario en el cierre y relacionados con la extensión

del crédito;

(v) los documentos de garantía que garantizan la extensión del crédito contengan una cláusula de divulgación que establezca que la extensión del crédito es el tipo de crédito definido en la Subsección (a)(6) de esta sección [Sección 50(a)(6), Artículo XVI, de la Constitución de Texas];

(vi) dentro de un plazo razonable luego del vencimiento y del pago completo de la extensión del crédito, el prestamista cancele y devuelva el pagaré al propietario de la vivienda y le dé al propietario, en formato registrable, una liberación del gravamen que garantice la extensión del crédito o una copia del endoso y asignación del gravamen a un prestamista que esté refinanciando la extensión del crédito;

(vii) el propietario de la vivienda y cualquier cónyuge del propietario puedan, dentro de los tres días posteriores a la fecha en que se hace la extensión del crédito, rescindir la extensión sin penalización ni cargos;

(ix) el propietario de la vivienda y el prestamista firmen un reconocimiento escrito del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(x) a excepción de lo establecido en el Subpárrafo (xi) de este párrafo, el prestamista o cualquier titular de la nota de la extensión del crédito deben renunciar a todos los capitales e intereses de la extensión del crédito si el prestamista o titular no cumple sus obligaciones conforme a la extensión del crédito y no corrige su incumplimiento en un plazo no mayor de 60 días después de la fecha en que el prestamista o titular es notificado por el prestatario de su incumplimiento o por:

(a) pagarle al propietario una cantidad equivalente a cualquier recargo pagado por el propietario conforme a la extensión del crédito o relacionado con ella, si el propietario pagó un monto que supera la cantidad estipulada en el párrafo aplicable (E), (G) u (O) de esta subdivisión;

(b) enviarle al propietario un reconocimiento escrito de que el gravamen es válido sólo en la cantidad en que la extensión del crédito no supere el porcentaje descrito en el Párrafo (B) de esta subdivisión, si corresponde, o no esté garantizado por una propiedad descrita por el Párrafo (H) [e-(H)] de esta subdivisión, si corresponde;

(c) enviarle al propietario un aviso escrito que transforma cualquier otra cantidad, porcentaje, término u otra disposición prohibidos en esta sección en una cantidad, porcentaje, término u otra disposición permitidos y modifica la cuenta del prestatario para garantizar que el prestatario no tenga que pagar más que una cantidad permitida en esta sección y no esté sujeto a cualquier otro término o disposición prohibidos en esta sección;

(d) llevarle los documentos requeridos al prestatario si el prestamista no cumple los términos del Subpárrafo (v) de este párrafo u obtener las firmas apropiadas si el prestamista no cumple los términos del Subpárrafo (ix) de este párrafo;

(e) enviarle al propietario un reconocimiento escrito, si el incumplimiento está prohibido en el Párrafo (K) de esta subdivisión, de que el interés acumulado y todas las obligaciones del propietario conforme a la extensión del crédito disminuyen mientras que cualquier gravamen anterior prohibido según lo establecido en el Párrafo (K) sigue estando garantizado por la vivienda; o

(f) si el incumplimiento no puede ser subsanado conforme a los Subpárrafos (x)(a)-(e) de este párrafo, subsanar el incumplimiento mediante un reintegro o un crédito de \$1,000 al propietario y ofrecerle al propietario el derecho a refinanciar la extensión del crédito con el prestamista o titular por el período restante del préstamo sin ningún costo para el propietario y bajo las mismas condiciones, incluyendo el interés, de la extensión del crédito original con las modificaciones que sean necesarias para cumplir los términos de esta sección o bajo las condiciones que el propietario y el prestamista o titular acuerden de otra forma y que cumplan los términos de esta sección; y

(xi) el prestamista o cualquier titular de la nota de la extensión del crédito debe renunciar a todos los capitales e intereses de la extensión del crédito si la extensión es hecha por una persona distinta a la persona descrita conforme al Párrafo (P) de esta subdivisión o si el gravamen no fue creado en virtud de un acuerdo escrito con el consentimiento de cada uno de los propietarios y los cónyuges de cada uno de los propietarios, a menos que cada uno de los

propietarios y cada uno de los cónyuges que inicialmente no lo habían hecho, den su consentimiento;

(7) una hipoteca inversa; o

(8) la conversión y el refinanciamiento de un gravamen de bienes muebles garantizado por una casa prefabricada a un gravamen de bienes inmuebles, incluido el refinanciamiento del precio de compra de la casa prefabricada, el costo de instalación de la casa prefabricada en el bien inmueble y el refinanciamiento del precio de compra del bien inmueble.

(f) El refinanciamiento de una deuda garantizada por la vivienda, de la cual cualquier parte es una extensión del crédito descrita en la Subsección (a)(6) de esta sección, no puede ser garantizada por un gravamen válido sobre la vivienda a menos que ocurra uno de los siguientes:

(1) el refinanciamiento de la deuda sea una extensión del crédito descrita en la Subsección (a)(6) o (a)(7) de esta sección; o

(2) se cumplan todas las condiciones siguientes:

(A) el refinanciamiento no se cierra antes del primer aniversario de la fecha de cierre de la extensión del crédito;

(B) la extensión de crédito refinanciada no incluye el anticipo de cualquier fondo adicional distinto de:

(i) fondos anticipados para refinar una deuda descrita en las Subsecciones (a)(1) a (a)(7) de esta sección; o

(ii) los costos y reservas reales requeridos por el prestamista para refinar la deuda;

(C) el refinanciamiento de la extensión del crédito corresponde a un monto principal que, al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad, no supera el 80 por ciento del valor justo de mercado de la vivienda en la fecha en la que se realiza el refinanciamiento de la extensión de crédito; y

(D) el prestamista le proporciona al propietario el siguiente aviso escrito en un documento separado en un plazo no mayor del tercer día hábil posterior a la fecha en que el propietario le presenta la solicitud de préstamo al prestamista y al menos 12 días antes de la fecha en que se cierra el refinanciamiento de la extensión del crédito:

"EL PRÉSTAMO EXISTENTE QUE USTED DESEA REFINANCIAR ES UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. USTED PUEDE TENER LA OPCIÓN DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA YA SEA COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA O COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, SI ASÍ SE LO OFRECE SU PRESTAMISTA.

"LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA POSEEN IMPORTANTES PROTECCIONES PARA EL CONSUMIDOR. UN PRESTAMISTA SÓLO PUEDE EJECUTAR UN PRÉSTAMO CON GARANTÍA HIPOTECARIA BASÁNDOSE EN UNA ORDEN DE UN TRIBUNAL. UN PRÉSTAMO CON GARANTÍA HIPOTECARIA NO DEBE TENER POSIBILIDAD RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE.

"SI HA SOLICITADO REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, PERDERÁ CIERTAS PROTECCIONES AL CONSUMIDOR. UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA REFINANCIADO:

"(1) LE PERMITIRÁ AL PRESTAMISTA EJECUTARLO SIN UNA ORDEN DE UN TRIBUNAL;

"(2) TENDRÁ POSIBILIDAD DE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE; Y

"(3) TAMBIÉN PUEDE INCLUIR OTROS TÉRMINOS O CONDICIONES QUE PUEDEN NO ESTAR PERMITIDOS EN UN PRÉSTAMO TRADICIONAL CON GARANTÍA HIPOTECARIA.

"ANTES DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE PARA CONVERTIRLO EN UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, DEBE ASEGURARSE DE QUE ENTIENDE QUE ESTÁ RENUNCIANDO A IMPORTANTES PROTECCIONES QUE PROVEEN LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA CONFORME A LA LEY, Y DEBE CONSIDERAR CONSULTAR A UN ABOGADO QUE USTED ELIJA ACERCA DE ESAS PROTECCIONES.

"QUIZÁS DESEE PEDIRLE A SU PRESTAMISTA QUE REFINANCIE SU PRÉSTAMO COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. SIN EMBARGO, UN PRÉSTAMO CON GARANTÍA HIPOTECARIA PUEDE TENER UNA TASA DE INTERÉS Y COSTOS DE CIERRE MÁS ALTOS QUE UN

PRÉSTAMO SIN GARANTÍA HIPOTECARIA".

(f-1) Un gravamen que garantiza el refinanciamiento de una deuda conforme a la Subsección (f)(2) de esta sección es considerado un gravamen descrito en la Subsección (a)(4) de esta sección. Una declaración jurada firmada por el propietario o el cónyuge del propietario en la que reconoce que se han cumplido los requisitos de la Subsección (f)(2) de esta sección establece concluyentemente que se han cumplido los requisitos de la Subsección (a)(4) de esta sección.

(g) Una extensión del crédito descrita en la Subsección (a)(6) de esta sección puede ser garantizada por un gravamen válido sobre la vivienda si la extensión del crédito no se cierra antes del día 12 después de que el prestamista le proporcione al propietario la siguiente notificación escrita en un documento separado:

"NOTIFICACIÓN RELACIONADA CON LAS EXTENSIONES DEL CRÉDITO DEFINIDAS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS:

"LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PERMITE QUE CIERTOS PRÉSTAMOS SEAN GARANTIZADOS POR LA HIPOTECA DE SU HOGAR. ESOS PRÉSTAMOS SON CONOCIDOS COMÚNMENTE COMO PRÉSTAMOS CON GARANTÍA HIPOTECARIA. SI USTED NO LIQUIDA EL PRÉSTAMO O NO CUMPLE LAS CONDICIONES DEL PRÉSTAMO, EL PRESTAMISTA PUEDE EJECUTAR LA HIPOTECA Y VENDER SU HOGAR. LA CONSTITUCIÓN DISPONE QUE:

"(A) EL PRÉSTAMO DEBE SER CREADO VOLUNTARIAMENTE CON EL CONSENTIMIENTO DE CADA UNO DE LOS PROPIETARIOS DE SU HOGAR Y EL CÓNYUGE DE CADA UNO DE LOS PROPIETARIOS;

"(B) EL MONTO PRINCIPAL DEL PRÉSTAMO EN EL MOMENTO EN QUE SE HACE EL PRÉSTAMO NO DEBE SUPERAR UNA CANTIDAD QUE, AL SER AÑADIDA A LOS SALDOS PENDIENTES DEL CAPITAL DE TODOS LOS OTROS GRAVÁMENES SOBRE SU HOGAR, SEA MAYOR AL 80 POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR;

(C) EL PRÉSTAMO NO DEBE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE, A MENOS QUE USTED O SU CÓNYUGE HAYAN OBTENIDO LA EXTENSIÓN DEL CRÉDITO MEDIANTE UN FRAUDE;

"(D) EL GRAVAMEN QUE GARANTIZA EL PRÉSTAMO PUEDE SER EJECUTADO SÓLO CON UNA ORDEN DE UN TRIBUNAL;

"(E) LAS TASAS Y CARGOS PARA HACER EL PRÉSTAMO NO PUEDEN SUPERAR EL 2 [3] POR CIENTO DEL MONTO DEL PRÉSTAMO, EXCEPTO POR LAS TASAS O CARGOS POR UNA VALORACIÓN IMPOSITIVA REALIZADA POR UN TASADOR EXTERNO, UNA AGRIMENSURA DE LA PROPIEDAD REALIZADA POR UN AGRIMENSOR REGISTRADO O LICENCIADO EN EL ESTADO, UNA PRIMA DE BASE ESTATAL POR UNA PÓLIZA DE SEGURO DE TÍTULO PARA HIPOTECA CON RESPALDOS, O UN INFORME DE EVALUACIÓN DE TÍTULO;

"(F) EL PRÉSTAMO NO PUEDE SER UNA LÍNEA DE CRÉDITO ABIERTA QUE PUEDA SER DEBITADA OCASIONALMENTE O CONFORME A LA CUAL EL CRÉDITO PUEDA SER EXTENDIDO OCASIONALMENTE, A MENOS QUE SEA UNA LÍNEA DE CRÉDITO CON RESPALDO HIPOTECARIO;

"(G) USTED PUEDE PAGAR EL PRÉSTAMO POR ANTICIPADO SIN PENALIZACIÓN NI CARGOS;

"(H) NINGUNA GARANTÍA REAL ADICIONAL PUEDE ACTUAR COMO GARANTÍA PARA EL PRÉSTAMO;

"(I) ~~(derogada) [EL PRÉSTAMO NO PUEDE SER GARANTIZADO POR UNA VIVIENDA DESIGNADA PARA USO AGRÍCOLA A LA FECHA DE CIERRE, A MENOS QUE LA VIVIENDA AGRÍCOLA SEA UTILIZADA PRINCIPALMENTE PARA LA PRODUCCIÓN DE LECHE];~~

"(J) USTED NO TIENE QUE LIQUIDAR EL PRÉSTAMO ANTES DE LO ACORDADO ÚNICAMENTE PORQUE EL VALOR JUSTO DE MERCADO DE SU HOGAR DISMINUYA O PORQUE USTED NO CUMPLA CON OTRO PRÉSTAMO QUE NO ESTÁ GARANTIZADO POR SU HOGAR;

"(K) SÓLO UN PRÉSTAMO DESCRITO EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PUEDE SER GARANTIZADO CON SU HOGAR EN CUALQUIER MOMENTO DADO;

"(L) EL PRÉSTAMO DEBE ESTAR PROGRAMADO PARA SER LIQUIDADO EN PAGOS QUE SEAN IGUALES A O SUPEREN LA CANTIDAD DE INTERÉS ACUMULADO EN CADA PERÍODO DE PAGO;

"(M) EL PRÉSTAMO NO PUEDE CERRARSE ANTES DE LOS 12 DÍAS DESPUÉS DE QUE USTED PRESENTE UNA SOLICITUD DE PRÉSTAMO AL PRESTAMISTA O ANTES DE LOS 12 DÍAS DESPUÉS DE RECIBIR ESTA NOTIFICACIÓN, LO QUE OCURRA MÁS TARDE; Y NO PUEDE CERRARSE SIN SU CONSENTIMIENTO ANTES DE QUE TRANSCURRA UN DÍA HÁBIL DESPUÉS DE LA FECHA EN QUE

PROPUESTA NÚMERO 7 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

H.J.R. Nº 37

Se propone una enmienda constitucional con relación al poder legislativo para permitir que las cooperativas de crédito y otras instituciones financieras otorguen premios por sorteo para promover el ahorro.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 47, Artículo III, de la Constitución de Texas, se modifica añadiendo la Subsección (d-2) para leerse de la siguiente manera:

(d-2) La subsección (a) de esta sección no le prohíbe a la legislatura autorizar a las cooperativas de crédito y a otras instituciones financieras llevar a cabo, conforme a los términos y condiciones impuestos por ley general, actividades promocionales para promover el ahorro en las cuales los premios son otorgados a uno o más de los depositantes de las cooperativas de crédito o instituciones financieras elegidos por sorteo.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional relacionada con el poder legislativo para permitir que las cooperativas de crédito y otras instituciones financieras otorguen premios por sorteo para promover el ahorro".

automóviles reconocida a nivel nacional en un estadio de este estado que tenga una capacidad permanente para no menos de 75.000 personas sentadas;
(3) una organización anfitriona de un evento de la Asociación de Golf Profesional; o
(4) cualquier otro equipo deportivo profesional definido por la ley.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional sobre las fundaciones benéficas de equipos deportivos profesionales que realizan rifas caritativas".

PROPUESTA NÚMERO 6 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 1

Se propone una enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio".

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 5b, Artículo VIII, de la Constitución de Texas, se modifica añadiendo las Subsecciones (o) y (p) para leerse de la siguiente manera:

(o) La legislatura, por ley general, puede disponer que el cónyuge sobreviviente de un agente de primera intervención, quien es matado o herido de muerte en acto de servicio tiene derecho a recibir una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente, mientras este no se haya vuelto a casar desde la muerte del agente de primera intervención. La legislatura, por ley general, puede definir "agente de primera intervención" para los propósitos de esta subsección y puede prescribir requisitos de elegibilidad adicionales para recibir la exención autorizada en esta subsección.

(p) La legislatura, por ley general, puede disponer que un cónyuge sobreviviente, que califica para recibir y recibe una exención de acuerdo con la Subsección (o) de esta sección y que posteriormente califica una propiedad distinta como su residencia principal, tiene derecho a recibir una exención del impuesto ad valorem de la residencia calificada posteriormente en un monto equivalente al valor en dólares de la exención del impuesto ad valorem de la primera residencia por la que se recibió la exención de acuerdo con la Subsección (o) de esta sección en el último año en que el cónyuge sobreviviente recibió la exención conforme a esa subsección para esa residencia mientras este no se haya vuelto a casar desde la muerte del agente de primera intervención.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio.

(b) Las Secciones 1-b(1) y (p), Artículo VIII, de esta constitución entran en efecto el 1 de enero de 2018 y se aplican sólo a un año tributario que comience en o después de esa fecha.

(c) Esta disposición temporal caduca el 1 de enero de 2019.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio".

(2) prescribir un período razonable, de no más de 45 días después de la disposición de esa notificación, durante el cual el tribunal no puede dictaminar que dicha ley es inconstitucional.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica con respecto a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera, no mayor de 45 días, antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional.

(b) La Sección 402.010 del Código de Gobierno, según lo agregado en el Capítulo 808 (H.B. (Proyecto de Ley de la Cámara de Representantes) 2425), Leyes de la 82ª Sesión Legislativa, Sesión Regular, 2011, y modificada en el Capítulo 1162 (S.B. (Proyecto de Ley Senatorial) 392) y el Capítulo 1276 (H.B. 1435), Leyes de la 83ª Sesión Legislativa, Sesión Regular, 2013, se valida y se hace efectiva con la aprobación de la enmienda constitucional descrita en la Subsección (a) de esta disposición temporal y se aplica sólo a una petición, moción u otro escrito presentado a partir del 1 de enero de 2018.

(c) Esta disposición temporal caduca el 2 de enero de 2018.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional".

PROPUESTA NÚMERO 5 DEL ESTADO DE TEXAS

H.J.R. Nº 100

RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional sobre las fundaciones benéficas de equipos deportivos profesionales que realizan rifas caritativas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 47(d-1), Artículo III, de la Constitución de Texas, se modifica para leerse de la siguiente manera:

(d-1) La legislatura, por ley general, puede permitirle a la fundación benéfica de un equipo deportivo profesional realizar rifas caritativas conforme a los términos y condiciones impuestos por ley general. La ley puede autorizar a la fundación benéfica a pagar, con los ingresos provenientes de las rifas, gastos administrativos, de publicidad y de promoción que sean razonables. Una ley sancionada conforme a esta subsección se aplica [puede aplicarse] sólo a una entidad [que sea] definida como la fundación benéfica de un equipo deportivo profesional de acuerdo con esa ley [al 1 de enero de 2016,] y sólo puede permitir que las rifas caritativas sean realizadas en partidos organizados en el estadio local del equipo deportivo profesional asociado a la fundación benéfica de ese equipo deportivo profesional. En esta subsección, un "equipo deportivo profesional" significa:

(1) un equipo organizado en este estado que es miembro de la Liga Mayor de Béisbol, la Asociación Nacional de Baloncesto, la Liga Nacional de Hockey, la Liga Nacional de Fútbol Americano, las Ligas Mayores de Fútbol, la Liga Estadounidense de Hockey, la Liga de Hockey de la Costa Este, la Asociación Estadounidense de Béisbol Profesional Independiente, la Liga de Béisbol Profesional del Atlántico, las Ligas Menores de Béisbol, la Liga de Desarrollo de la Asociación Nacional de Baloncesto, la Liga Nacional de Fútbol Profesional Femenino, la Liga Mayor de Fútbol Rápido, la Liga de Fútbol Unida o la Asociación Nacional de Baloncesto Femenino;

(2) una persona que organiza una carrera de autos autorizada por la Asociación Nacional de Carreras de Automóviles de Serie (NASCAR), INDYCar u otra asociación de carreras de

adoptada por los votantes y en la que el 1 de enero de 2019.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para un anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas".

PROPUESTA NÚMERO 3 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 34

Se propone una enmienda constitucional que limite el servicio de ciertos funcionarios públicos después del vencimiento del mandato de la persona.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 17, Artículo XVI, de la Constitución de Texas, se modifica para leerse de la siguiente manera:

Sección 17. (a) A excepción de lo establecido en la Subsección (b) de esta sección, todos [Todos] los funcionarios de [este] este estado deben continuar cumpliendo los deberes de su cargo hasta que sus sucesores sean debidamente calificados.

(b) Después del vencimiento del mandato de un cargo designado que es ocupado por nombramiento del Gobernador, con el consejo y consentimiento del Senado y que no sea un cargo por el que el funcionario recibe un sueldo, el período durante el cual el funcionario deberá continuar cumpliendo los deberes de su cargo conforme a la Subsección (a) de esta sección terminará el último día de la primera Sesión Regular de la Legislatura que empiece después del vencimiento del mandato.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional que limite el servicio de ciertos funcionarios públicos nombrados por el gobernador y confirmados por el senado después del vencimiento del mandato de la persona".

PROPUESTA NÚMERO 4 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 6

Se propone una enmienda constitucional que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. El Artículo V, de la Constitución de Texas, se modifica añadiendo la Sección 32 para leerse de la siguiente manera:

Sección 32. Sin perjuicio de la Sección 1, Artículo II, de esta constitución, la legislatura puede:

(1) requerir que un tribunal en el que una parte litigante presenta una petición, una moción u otro escrito que impugna la constitucionalidad de una ley de este estado notifique al fiscal general de dicha impugnación si la parte que plantea la impugnación notifica al tribunal que está impugnando la constitucionalidad de tal ley; y

CUALQUIER MOMENTO EL 80 [50] POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR, SEGÚN LO DETERMINADO EN LA FECHA EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO, USTED NO PODRÁ CONTINUAR SOLICITANDO ANTICIPOS CONFORME A LA LÍNEA DE CRÉDITO HASTA QUE EL SALDO PENDIENTE SEA MENOR AL 80 [50] POR CIENTO DEL VALOR JUSTO DE MERCADO; Y

"(7) EL PRESTAMISTA NO PUEDE MODIFICAR UNILATERALMENTE LOS TÉRMINOS DE LA LÍNEA DE CRÉDITO.

"ESTA NOTIFICACIÓN ES SÓLO UN RESUMEN DE SUS DERECHOS CONFORME A LA CONSTITUCIÓN DE TEXAS. SUS DERECHOS SE RIGEN POR LA SECCIÓN 50, ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS, Y NO POR ESTA NOTIFICACIÓN".

Si las discusiones con el prestatario son llevadas a cabo principalmente en un idioma que no sea el inglés, el prestamista debe, antes del cierre, proporcionar una copia adicional de la notificación traducida por escrito al idioma en el que fueron llevadas a cabo las discusiones.

(t) Una línea de crédito con respaldo hipotecario es un tipo de línea de crédito abierta que puede ser debitada ocasionalmente, conforme a la cual el crédito puede ser extendido ocasionalmente y conforme a la cual:

(1) el propietario solicita anticipos, reembolsa dinero y vuelve a tomar dinero prestado;

(2) cualquier débito o anticipo simple es mayor que \$4,000;

(3) el propietario no utiliza una tarjeta de crédito, una tarjeta de débito o un recurso similar, o un cheque preimpreso que no haya sido solicitado por el prestatario, para obtener un anticipo;

(4) cualquier tasa descrita en la Subsección (a)(6)(E) de esta sección es cargada y cobrada sólo en el momento en que se establece la extensión del crédito, y no se carga ni se cobra ninguna tasa en conexión con cualquier débito o anticipo;

(5) la cantidad principal máxima que puede ser extendida conforme a la línea de crédito, al ser añadida a la suma total de los saldos pendientes del capital de todas las deudas garantizadas por la propiedad en la fecha en que se establece la extensión del crédito, no supera una cantidad descrita conforme a la Subsección (a)(6)(B) de esta sección;

(6) ~~(derogada) [no se hace ningún débito o anticipo adicional si el saldo pendiente total del capital supera una cantidad equivalente al 50 por ciento del valor justo de mercado de la propiedad según lo determinado en la fecha en que se establece la línea de crédito];~~

(7) el prestamista o titular no puede modificar unilateralmente la extensión del crédito; y

(8) la liquidación debe ser hecha en cuotas periódicas regulares, con una frecuencia no mayor que cada 14 días y no menor que cada mes, empezando no más de dos meses después de la fecha en que se establece la extensión del crédito, y:

(A) durante el período en que el propietario puede solicitar anticipos, cada cuota equivale a o supera la cantidad de interés acumulado; y

(B) luego del período en que el propietario puede solicitar anticipos, las cuotas son sustancialmente iguales.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para un anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas.

(b) La enmienda constitucional entra en efecto el 1 de enero de 2018.

(c) Los cambios a las leyes hechos por la enmienda constitucional se aplican sólo a un préstamo con garantía hipotecaria realizado a partir de la fecha de vigencia de la enmienda constitucional y a un préstamo con garantía hipotecaria existente que sea refinanciado a partir de la fecha de vigencia de la enmienda constitucional.

(d) Esta disposición temporal entra en efecto cuando la enmienda constitucional es

USTED RECIBE UNA COPIA DE LA SOLICITUD DE PRÉSTAMO, SI NO LE HA SIDO PROPORCIONADA ANTERIORMENTE, Y UNA DIVULGACIÓN FINAL DETALLADA DE LAS TASAS, PUNTOS, INTERESES, COSTOS Y CARGOS REALES QUE SERÁN COBRADOS EN EL CIERRE; Y SI SU HOGAR ACTUÓ COMO GARANTÍA PARA EL MISMO TIPO DE PRÉSTAMO EN EL ÚLTIMO AÑO, NO PUEDE CERRARSE UN NUEVO PRÉSTAMO GARANTIZADO POR LA MISMA PROPIEDAD ANTES DE QUE HAYA PASADO UN AÑO DESDE LA FECHA DE CIERRE DEL OTRO PRÉSTAMO, A MENOS QUE USTED HAYA SOLICITADO BAJO JURAMENTO UN CIERRE ANTERIOR DEBIDO A UN ESTADO DE EMERGENCIA DECLARADO;

"(N) EL PRÉSTAMO SÓLO PUEDE CERRARSE EN LA OFICINA DEL PRESTAMISTA, UNA COMPAÑÍA DE TÍTULOS DE PROPIEDAD O EL ESTUDIO DE UN ABOGADO;

"(O) EL PRESTAMISTA PUEDE COBRAR CUALQUIER TASA DE INTERÉS FIJA O VARIABLE AUTORIZADA POR LA LEY;

"(P) SÓLO UN PRESTAMISTA AUTORIZADO LEGALMENTE PUEDE HACER PRÉSTAMOS DESCRITOS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS;

"(Q) LOS PRÉSTAMOS DESCRITOS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS:

"(1) NO DEBEN REQUERIR QUE USTED APLIQUE LOS INGRESOS A OTRA DEUDA, EXCEPTO QUE SEA UNA DEUDA QUE ESTÉ GARANTIZADA POR SU HOGAR O UNA DEUDA A OTRO PRESTAMISTA;

"(2) NO DEBEN REQUERIR QUE USTED ASIGNE SALARIOS COMO GARANTÍA;

"(3) NO DEBEN REQUERIR QUE USTED FIRME DOCUMENTOS QUE TENGAN ESPACIOS VACÍOS PARA RELLENAR RELACIONADOS CON TÉRMINOS SUSTANCIALES DEL ACUERDO;

"(4) NO DEBEN REQUERIR QUE USTED FIRME UNA DECLARACIÓN JURADA DE ADMISIÓN DE DEUDA O PODER NOTARIAL A OTRA PERSONA PARA ADMITIR SU DEUDA O COMPARECER EN UN PROCEDIMIENTO LEGAL EN SU NOMBRE;

"(5) DEBEN DISPONER QUE USTED RECIBA UNA COPIA DE LA SOLICITUD FINAL DE PRÉSTAMO Y DE TODOS LOS DOCUMENTOS FIRMADOS QUE USTED FIRME EN EL CIERRE;

"(6) DEBEN DISPONER QUE LOS DOCUMENTOS DE GARANTÍA CONTENGAN UNA CLÁUSULA DE DIVULGACIÓN QUE ESTABLEZCA QUE ESTE PRÉSTAMO ES UN PRÉSTAMO DEFINIDO EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS;

"(7) DEBEN DISPONER QUE CUANDO EL PRÉSTAMO SEA PAGADO EN SU TOTALIDAD, EL PRESTAMISTA FIRMARÁ Y LEJARÁ UNA LIBERACIÓN DE GRAVAMEN O UNA ASIGNACIÓN DEL GRAVAMEN, SEGÚN SEA APROPIADO;

"(8) DEBEN DISPONER QUE USTED PUEDA RESCINDIR EL PRÉSTAMO DENTRO DE LOS 3 DÍAS POSTERIORES AL CIERRE, SIN PENALIZACIÓN NI CARGOS;

"(9) DEBEN DISPONER QUE USTED Y EL PRESTAMISTA RECONOZCAN EL VALOR JUSTO DE MERCADO DE SU HOGAR EN LA FECHA EN QUE SE CIERRA EL PRÉSTAMO; Y

"(10) DEBEN DISPONER QUE EL PRESTAMISTA RENUNCIARÁ A TODOS LOS CAPITALS E INTERESES SI NO CUMPLE SUS OBLIGACIONES, A MENOS QUE EL PRESTAMISTA SUBSANE SU INCUMPLIMIENTO SEGÚN LO ESTABLECIDO EN LA SECCIÓN 50(a)(6)(Q)(x), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS; Y

"(R) SI EL PRÉSTAMO ES UNA LÍNEA DE CRÉDITO CON RESPALDO HIPOTECARIO:

"(1) USTED PUEDE SOLICITAR ANTICIPOS, REEMBOLSAR DINERO Y VOLVER A TOMAR DINERO PRESTADO CONFORME A LA LÍNEA DE CRÉDITO;

"(2) CADA ANTICIPO CONFORME A LA LÍNEA DE CRÉDITO DEBE REALIZARSE POR UN MONTO DE AL MENOS \$4,000;

"(3) USTED NO PUEDE UTILIZAR UNA TARJETA DE CRÉDITO, TARJETA DE DÉBITO O RECURSO SIMILAR, O UN CHEQUE PREIMPRESO QUE NO SOLICITÓ, PARA OBTENER ANTICIPOS CONFORME A LA LÍNEA DE CRÉDITO;

"(4) CUALQUIER TASA QUE EL PRESTAMISTA COBRE PODRÁ SER CARGADA Y COBRADA SÓLO EN EL MOMENTO EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO Y EL PRESTAMISTA NO PUEDE COBRAR UNA TASA EN CONEXIÓN CON NINGÚN ANTICIPO;

"(5) LA CANTIDAD PRINCIPAL MÁXIMA QUE PUEDE SER EXTENDIDA, AL SER AÑADIDA A TODAS LAS OTRAS DEUDAS GARANTIZADAS POR SU HOGAR, NO PUEDE SUPERAR EL 80 POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR EN LA FECHA EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO;

"(6) SI EL SALDO PENDIENTE DEL CAPITAL CONFORME A LA LÍNEA DE CRÉDITO SUPERA EN

PRÉSTAMO SIN GARANTÍA HIPOTECARIA".

(f-1) Un gravamen que garantiza el refinanciamiento de una deuda conforme a la Subsección (f)(2) de esta sección es considerado un gravamen descrito en la Subsección (a)(4) de esta sección. Una declaración jurada firmada por el propietario o el cónyuge del propietario en la que reconoce que se han cumplido los requisitos de la Subsección (f)(2) de esta sección establece concluyentemente que se han cumplido los requisitos de la Subsección (a)(4) de esta sección.

(g) Una extensión del crédito descrita en la Subsección (a)(6) de esta sección puede ser garantizada por un gravamen válido sobre la vivienda si la extensión del crédito no se cierra antes del día 12 después de que el prestamista le proporcione al propietario la siguiente notificación escrita en un documento separado:

"NOTIFICACIÓN RELACIONADA CON LAS EXTENSIONES DEL CRÉDITO DEFINIDAS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS:

"LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PERMITE QUE CIERTOS PRÉSTAMOS SEAN GARANTIZADOS POR LA HIPOTECA DE SU HOGAR. ESOS PRÉSTAMOS SON CONOCIDOS COMÚNMENTE COMO PRÉSTAMOS CON GARANTÍA HIPOTECARIA. SI USTED NO LIQUIDA EL PRÉSTAMO O NO CUMPLE LAS CONDICIONES DEL PRÉSTAMO, EL PRESTAMISTA PUEDE EJECUTAR LA HIPOTECA Y VENDER SU HOGAR. LA CONSTITUCIÓN DISPONE QUE:

"(A) EL PRÉSTAMO DEBE SER CREADO VOLUNTARIAMENTE CON EL CONSENTIMIENTO DE CADA UNO DE LOS PROPIETARIOS DE SU HOGAR Y EL CÓNYUGE DE CADA UNO DE LOS PROPIETARIOS;

"(B) EL MONTO PRINCIPAL DEL PRÉSTAMO EN EL MOMENTO EN QUE SE HACE EL PRÉSTAMO NO DEBE SUPERAR UNA CANTIDAD QUE, AL SER AÑADIDA A LOS SALDOS PENDIENTES DEL CAPITAL DE TODOS LOS OTROS GRAVÁMENES SOBRE SU HOGAR, SEA MAYOR AL 80 POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR;

(C) EL PRÉSTAMO NO DEBE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE, A MENOS QUE USTED O SU CÓNYUGE HAYAN OBTENIDO LA EXTENSIÓN DEL CRÉDITO MEDIANTE UN FRAUDE;

"(D) EL GRAVAMEN QUE GARANTIZA EL PRÉSTAMO PUEDE SER EJECUTADO SÓLO CON UNA ORDEN DE UN TRIBUNAL;

"(E) LAS TASAS Y CARGOS PARA HACER EL PRÉSTAMO NO PUEDEN SUPERAR EL 2 [3] POR CIENTO DEL MONTO DEL PRÉSTAMO, EXCEPTO POR LAS TASAS O CARGOS POR UNA VALORACIÓN IMPOSITIVA REALIZADA POR UN TASADOR EXTERNO. UNA AGRIMENSURA DE LA PROPIEDAD REALIZADA POR UN AGRIMENSOR REGISTRADO O LICENCIADO EN EL ESTADO, UNA PRIMA DE BASE ESTATAL POR UNA PÓLIZA DE SEGURO DE TÍTULO PARA HIPOTECA CON RESPALDOS, O UN INFORME DE EVALUACIÓN DE TÍTULO;

"(F) EL PRÉSTAMO NO PUEDE SER UNA LÍNEA DE CRÉDITO ABIERTA QUE PUEDA SER DEBITADA OCASIONALMENTE O CONFORME A LA CUAL EL CRÉDITO PUEDA SER EXTENDIDO OCASIONALMENTE, A MENOS QUE SEA UNA LÍNEA DE CRÉDITO CON RESPALDO HIPOTECARIO;

"(G) USTED PUEDE PAGAR EL PRÉSTAMO POR ANTICIPADO SIN PENALIZACIÓN NI CARGOS;

"(H) NINGUNA GARANTÍA REAL ADICIONAL PUEDE ACTUAR COMO GARANTÍA PARA EL PRÉSTAMO;

~~"(I) (derogada) [EL PRÉSTAMO NO PUEDE SER GARANTIZADO POR UNA VIVIENDA DESIGNADA PARA USO AGRÍCOLA A LA FECHA DE CIERRE, A MENOS QUE LA VIVIENDA AGRÍCOLA SEA UTILIZADA PRINCIPALMENTE PARA LA PRODUCCIÓN DE LECHE];~~

"(J) USTED NO TIENE QUE LIQUIDAR EL PRÉSTAMO ANTES DE LO ACORDADO ÚNICAMENTE PORQUE EL VALOR JUSTO DE MERCADO DE SU HOGAR DISMINUYA O PORQUE USTED NO CUMPLA CON OTRO PRÉSTAMO QUE NO ESTÁ GARANTIZADO POR SU HOGAR;

"(K) SÓLO UN PRÉSTAMO DESCRITO EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PUEDE SER GARANTIZADO CON SU HOGAR EN CUALQUIER MOMENTO DADO;

"(L) EL PRÉSTAMO DEBE ESTAR PROGRAMADO PARA SER LIQUIDADO EN PAGOS QUE SEAN IGUALES A O SUPEREN LA CANTIDAD DE INTERÉS ACUMULADO EN CADA PERÍODO DE PAGO;

"(M) EL PRÉSTAMO NO PUEDE CERRARSE ANTES DE LOS 12 DÍAS DESPUÉS DE QUE USTED PRESENTE UNA SOLICITUD DE PRÉSTAMO AL PRESTAMISTA O ANTES DE LOS 12 DÍAS DESPUÉS DE RECIBIR ESTA NOTIFICACIÓN, LO QUE OCURRA MÁS TARDE; Y NO PUEDE CERRARSE SIN SU CONSENTIMIENTO ANTES DE QUE TRANSCURRA UN DÍA HÁBIL DESPUÉS DE LA FECHA EN QUE

propietarios y cada uno de los cónyuges que inicialmente no lo habían hecho, den su consentimiento;

(7) una hipoteca inversa; o

(8) la conversión y el refinanciamiento de un gravamen de bienes muebles garantizado por una casa prefabricada a un gravamen de bienes inmuebles, incluido el refinanciamiento del precio de compra de la casa prefabricada, el costo de instalación de la casa prefabricada en el bien inmueble y el refinanciamiento del precio de compra del bien inmueble.

(f) El refinanciamiento de una deuda garantizada por la vivienda, de la cual cualquier parte es una extensión del crédito descrita en la Subsección (a)(6) de esta sección, no puede ser garantizada por un gravamen válido sobre la vivienda a menos que ocurra uno de los siguientes:

(1) el refinanciamiento de la deuda sea una extensión del crédito descrita en la Subsección (a)(6) o (a)(7) de esta sección; o

(2) se cumplan todas las condiciones siguientes:

(A) el refinanciamiento no se cierra antes del primer aniversario de la fecha de cierre de la extensión del crédito;

(B) la extensión de crédito refinanciada no incluye el anticipo de cualquier fondo adicional distinto de:

(i) fondos anticipados para refinanciar una deuda descrita en las Subsecciones (a)(1) a (a)(7) de esta sección; o

(ii) los costos y reservas reales requeridos por el prestamista para refinanciar la deuda;

(C) el refinanciamiento de la extensión del crédito corresponde a un monto principal que, al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad, no supera el 80 por ciento del valor justo de mercado de la vivienda en la fecha en la que se realiza el refinanciamiento de la extensión de crédito; y

(D) el prestamista le proporciona al propietario el siguiente aviso escrito en un documento separado en un plazo no mayor del tercer día hábil posterior a la fecha en que el propietario le presenta la solicitud de préstamo al prestamista y al menos 12 días antes de la fecha en que se cierra el refinanciamiento de la extensión del crédito:

"EL PRÉSTAMO EXISTENTE QUE USTED DESEA REFINANCIAR ES UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. USTED PUEDE TENER LA OPCIÓN DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA YA SEA COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA O COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, SI ASÍ SE LO OFRECE SU PRESTAMISTA.

"LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA POSEEN IMPORTANTES PROTECCIONES PARA EL CONSUMIDOR. UN PRESTAMISTA SÓLO PUEDE EJECUTAR UN PRÉSTAMO CON GARANTÍA HIPOTECARIA BASÁNDOSE EN UNA ORDEN DE UN TRIBUNAL. UN PRÉSTAMO CON GARANTÍA HIPOTECARIA NO DEBE TENER POSIBILIDAD DE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE.

"SI HA SOLICITADO REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, PERDERÁ CIERTAS PROTECCIONES AL CONSUMIDOR. UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA REFINANCIADO:

"(1) LE PERMITIRÁ AL PRESTAMISTA EJECUTARLO SIN UNA ORDEN DE UN TRIBUNAL;

"(2) TENDRÁ POSIBILIDAD DE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE; Y

"(3) TAMBIÉN PUEDE INCLUIR OTROS TÉRMINOS O CONDICIONES QUE PUEDEN NO ESTAR PERMITIDOS EN UN PRÉSTAMO TRADICIONAL CON GARANTÍA HIPOTECARIA.

"ANTES DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE PARA CONVERTIRLO EN UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, DEBE ASEGURARSE DE QUE ENTIENDE QUE ESTÁ RENUNCIANDO A IMPORTANTES PROTECCIONES QUE PROVEEN LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA CONFORME A LA LEY, Y DEBE CONSIDERAR CONSULTAR A UN ABOGADO QUE USTED ENCUENTRE ACERCA DE ESAS PROTECCIONES.

"QUIZÁS DESEE PEDIRLE A SU PRESTAMISTA QUE REFINANCIE SU PRÉSTAMO COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. SIN EMBARGO, UN PRÉSTAMO CON GARANTÍA HIPOTECARIA PUEDE TENER UNA TASA DE INTERÉS Y COSTOS DE CIERRE MÁS ALTOS QUE UN

del crédito;

(vi) los documentos de garantía que garantizan la extensión del crédito contengan una cláusula de divulgación que establezca que la extensión del crédito es el tipo de crédito definido en la Subsección (a)(6) de esta sección [Sección 50(a)(6), Artículo XVI, de la Constitución de Texas];

(vii) dentro de un plazo razonable luego del vencimiento y del pago completo de la extensión del crédito, el prestamista cancele y devuelva el pagaré al propietario de la vivienda y le dé al propietario, en formato registrable, una liberación del gravamen que garantice la extensión del crédito o una copia del endoso y asignación del gravamen a un prestamista que esté refinanciando la extensión del crédito;

(viii) el propietario de la vivienda y cualquier cónyuge del propietario puedan, dentro de los tres días posteriores a la fecha en que se hace la extensión del crédito, rescindir la extensión sin penalización ni cargos;

(ix) el propietario de la vivienda y el prestamista firmen un reconocimiento escrito del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(x) a excepción de lo establecido en el Subpárrafo (xi) de este párrafo, el prestamista o cualquier titular de la nota de la extensión del crédito deben renunciar a todos los capitales e intereses de la extensión del crédito si el prestamista o titular no cumple sus obligaciones conforme a la extensión del crédito y no corrige su incumplimiento en un plazo no mayor de 60 días después de la fecha en que el prestamista o titular es notificado por el prestatario de su incumplimiento por:

(a) pagarle al propietario una cantidad equivalente a cualquier recargo pagado por el propietario conforme a la extensión del crédito o relacionado con ella, si el propietario pagó un monto que supera la cantidad estipulada en el párrafo aplicable (E), (G) u (O) de esta subdivisión;

(b) enviarle al propietario un reconocimiento escrito de que el gravamen es válido sólo en la cantidad en que la extensión del crédito no supere el porcentaje descrito en el Párrafo (B) de esta subdivisión, si corresponde, o no esté garantizado por una propiedad descrita por el Párrafo (H) ~~(e-f))~~ de esta subdivisión, si corresponde;

(c) enviarle al propietario un aviso escrito que transforma cualquier otra cantidad, porcentaje, término u otra disposición prohibidos en esta sección en una cantidad, porcentaje, término u otra disposición permitidos y modifica la cuenta del prestatario para garantizar que el prestatario no tenga que pagar más que una cantidad permitida en esta sección y no esté sujeto a cualquier otro término o disposición prohibidos en esta sección;

(d) llevarle los documentos requeridos al prestatario si el prestamista no cumple los términos del Subpárrafo (v) de este párrafo u obtener las firmas apropiadas si el prestamista no cumple los términos del Subpárrafo (ix) de este párrafo;

(e) enviarle al propietario un reconocimiento escrito, si el incumplimiento está prohibido en el Párrafo (K) de esta subdivisión, de que el interés acumulado y todas las obligaciones del propietario conforme a la extensión del crédito disminuyen mientras que cualquier gravamen anterior prohibido según lo establecido en el Párrafo (K) sigue estando garantizado por la vivienda; o

(f) si el incumplimiento no puede ser subsanado conforme a los Subpárrafos (x)(a)-(e) de este párrafo, subsanar el incumplimiento mediante un reintegro o un crédito de \$1,000 al propietario y ofrecerle al propietario el derecho a refinanciar la extensión del crédito con el prestamista o titular por el período restante del préstamo sin ningún costo para el propietario y bajo las mismas condiciones, incluyendo el interés, de la extensión del crédito original con las modificaciones que sean necesarias para cumplir los términos de esta sección o bajo las condiciones que el propietario y el prestamista o titular acuerden de otra forma y que cumplan los términos de esta sección; y

(xi) el prestamista o cualquier titular de la nota de la extensión del crédito debe renunciar a todos los capitales e intereses de la extensión del crédito si la extensión es hecha por una persona distinta a la persona descrita conforme al Párrafo (P) de esta subdivisión o si el gravamen no fue creado en virtud de un acuerdo escrito con el consentimiento de cada uno de los propietarios y los cónyuges de cada uno de los propietarios, a menos que cada uno de los

(j) del día 12 después de la fecha más posterior entre las siguientes:
la fecha en que el propietario de la vivienda le presenta una solicitud de préstamo al prestamista por la extensión del crédito o la fecha en que el prestamista le da al propietario una copia del aviso prescrito en la Subsección (g) de esta sección;

(k) de un día hábil después de la fecha en que el propietario de la vivienda recibe una copia de la solicitud de préstamo si no ha sido proporcionada anteriormente y una divulgación final detallada de las tasas, puntos, intereses, costos y cargos reales que serán cobrados en el cierre. Si existe una emergencia de buena fe u otra buena causa y el prestamista obtiene el consentimiento escrito del propietario, el prestamista puede proporcionarle la documentación al propietario o puede modificar la documentación proporcionada anteriormente en la fecha de cierre; y

(l) el primer aniversario de la fecha de cierre de cualquier otra extensión del crédito descrita en la Subsección (a)(6) de esta sección garantizada por la misma vivienda, excepto un refinanciamiento descrito en el Párrafo (Q)(x)(f) de esta subdivisión, a menos que el propietario requiera bajo juramento un cierre anterior debido a un estado de emergencia que:

(a) haya sido declarado por el presidente de los Estados Unidos o por el gobernador según lo establecido por la ley; y

(b) se aplique al área en la que está ubicada la vivienda;

(N) se cierre sólo en la oficina del prestamista, un abogado o una compañía de títulos de propiedad;

(O) permite que un prestamista contrate y reciba cualquier tasa de interés fija o variable autorizada de acuerdo con la ley;

(P) es realizada por uno de los siguientes establecimientos que, de acuerdo a una agencia regulatoria federal, no se ha visto involucrado en la práctica de negarse a hacer préstamos porque los solicitantes de los préstamos residen o la propiedad propuesta para garantizar los préstamos está ubicada en una cierta área:

(i) un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito que hace negocios conforme a las leyes de este estado o de los Estados Unidos, incluso la subsidiaria de un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito descritos en este subpárrafo;

(ii) un organismo de préstamo autorizado por el gobierno federal o una persona autorizada como acreedor hipotecario por el gobierno de los Estados Unidos para hacer préstamos con garantía federal;

(iii) una persona licenciada para hacer préstamos regulados, según lo establecido por la ley de este estado;

(iv) una persona que vendió la vivienda al propietario actual y que proporcionó la totalidad o parte del financiamiento para la compra;

(v) una persona que es familiar del propietario de la residencia en segundo grado de afinidad o consanguinidad; o

(vi) una persona regulada por este estado como [agente] entidad de préstamos hipotecarios o compañía de préstamos hipotecarios; y

(Q) se hace con la condición de que:

(i) el propietario de la vivienda no tenga que aplicar los ingresos de la extensión del crédito para liquidar otra deuda, excepto las deudas garantizadas por la vivienda o las deudas a otro prestamista;

(ii) el propietario de la vivienda no asigne salarios como garantía por la extensión del crédito;

(iii) el propietario de la vivienda no firme ningún documento en el que haya espacios vacíos para rellenar relacionados con términos sustanciales del acuerdo;

(iv) el propietario de la vivienda no firme una declaración jurada de admisión de deuda o poder notarial al prestamista o a un tercero para admitir su deuda o para aparecer por el propietario en un procedimiento judicial;

(v) en el momento en que se hace la extensión del crédito, el propietario de la vivienda debe recibir una copia de la solicitud final de préstamo y de todos los documentos formalizados firmados por el propietario en el cierre y relacionados con la extensión

sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y el propietario de la vivienda lo deje asentado por escrito; y

(D) el contrato por el trabajo y los materiales es formalizado por el propietario y el cónyuge del propietario sólo en la oficina de un prestamista externo que hace una extensión del crédito por el trabajo y los materiales, un abogado o una compañía de títulos de propiedad;

(6) una extensión del crédito que:

(A) está garantizada mediante un gravamen voluntario sobre la propiedad, creado conforme a un acuerdo escrito con el consentimiento de todos los propietarios y los cónyuges de todos los propietarios;

(B) es de un monto principal que al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad no supera el 80 por ciento del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(C) no tiene posibilidad recurrir a la responsabilidad personal contra cada propietario y el cónyuge de cada propietario, a menos que el propietario o su cónyuge hayan obtenido la extensión del crédito mediante un fraude;

(D) está garantizada por un gravamen que puede ser ejecutado sólo por una orden de un tribunal;

(E) no requiere que el propietario o el cónyuge del propietario pague, además de cualquier interés o puntos de descuento de buena fe utilizados para reducir la tasa de interés, cualquier tasa a cualquier persona que sea necesaria para crear, evaluar, mantener, registrar, garantizar o revisar la extensión del crédito que supere, en la suma total, el dos {tres} por ciento del monto principal original de la extensión del crédito, excepto tasas por:

(i) una valoración impositiva realizada por un tasador externo;

(ii) la agremiación de la propiedad realizada por un agremiador registrado o licenciado en el estado;

(iii) una prima de base estatal por una póliza de seguro de título para hipoteca con respaldos establecidos de acuerdo con las leyes del estado; o

(iv) un informe de evaluación de título, si su costo es menor que la prima de base estatal por una póliza de seguro de título para hipoteca sin respaldos establecidos de acuerdo con las leyes del estado;

(F) no es un tipo de línea de crédito abierta que puede ser debitada ocasionalmente o conforme a la cual el crédito puede ser extendido ocasionalmente, a menos que la línea de crédito abierta sea una línea de crédito con respaldo hipotecario;

(G) es pagadera por anticipado sin penalización ni otros cargos;

(H) no está garantizada por ninguna propiedad real o personal adicional distinto de la vivienda;

(I) (derogada) (no está garantizada por una vivienda que a la fecha de cierre sea designada para uso agrícola según lo establecido por las leyes que rigen el impuesto a la propiedad, a menos que tal vivienda sea utilizada principalmente para la producción de leche);

(J) no puede acelerarse por una disminución en el valor de mercado de la vivienda o por el incumplimiento del propietario con respecto a otras deudas no garantizadas por una carga válida anterior contra la vivienda;

(K) es la única deuda garantizada por la vivienda en el momento en que se hace la extensión del crédito, a menos que la otra deuda haya sido hecha por un propósito descrito en las Subsecciones (a)(1)-(a)(5) o la Subsección (a)(8) de esta sección;

(L) está programada para ser liquidada:

(i) en sucesivas cuotas regulares sustancialmente iguales, no más frecuentemente que cada 14 días y no menos frecuentemente que cada mes, empezando no más de dos meses después de la fecha en que se hace la extensión del crédito, cada una de las cuales equivale o supera la cantidad de interés acumulado desde la fecha de la cuota programada; o

(ii) si la extensión del crédito es una línea de crédito con respaldo hipotecario, en cuotas regulares descritas conforme a la Subsección (t)(8) de esta sección;

(M) no se cierra antes:

residencia para la cual se recibió la exención conforme a la Subsección (m) [(4)] de esta sección en el último año en que el cónyuge sobreviviente recibió la exención conforme a esa subsección para esa residencia, mientras el cónyuge sobreviviente no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 4. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: “La enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de una parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas”.

PROPUESTA NÚMERO 2 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 60

Se propone una enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para el anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 50, Artículo XVI, de la Constitución de Texas, se enmienda para modificar las Subsecciones (a), (f), (g) y (t) y añadir la Subsección (f-1) para leerse de la siguiente manera:

(a) La vivienda de una familia o una persona adulta soltera será y por la presente está protegida contra la venta forzosa para el pago de todas las deudas, con excepción de:

- (1) el precio de compra o una parte de ese precio de compra;
- (2) los impuestos que correspondan;

(3) las sumas equitativas pagadas por una parte a otra impuestas sobre la totalidad de la propiedad por una orden del tribunal o por un acuerdo escrito entre las partes de la división, incluida la deuda de un cónyuge a favor del otro que resulte de la división o la adjudicación de una residencia familiar en un juicio de divorcio;

(4) el refinanciamiento de un gravamen sobre una vivienda, incluso el gravamen del impuesto federal que resulta de la deuda tributaria de ambos cónyuges, si la vivienda es una residencia familiar, o de la deuda tributaria del propietario;

(5) el trabajo y los materiales utilizados para construir nuevas mejoras en la vivienda, si fueron contratados por escrito, o el trabajo y los materiales utilizados para reparar o renovar las mejoras existentes que hubiera sí:

(A) el trabajo y los materiales son contratados por escrito con el consentimiento de ambos cónyuges en el caso de una residencia familiar, y proporcionados de la misma manera que se exige al hacer la venta y la transferencia de la vivienda;

(B) el contrato por el trabajo y los materiales no es formalizado por el propietario o por el cónyuge del propietario antes del quinto día después de que el propietario presenta una solicitud escrita para cualquier extensión del crédito por el trabajo y los materiales, a menos que el trabajo y los materiales sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y que el propietario de la vivienda lo deje asentado por escrito;

(C) el contrato por el trabajo y los materiales dispone expresamente que el propietario puede rescindir el contrato sin penalización ni cargos dentro de los tres días posteriores a la firma del contrato por todas las partes, a menos que el trabajo y los materiales

PROPUESTA NÚMERO 1 DEL ESTADO DE TEXAS H.J.R. Nº 21
RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de una parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 1-b (1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 24, 83ª Sesión Legislativa, Sesión Regular, 2013, se enmienda para leerse de la siguiente manera:

(1) La legislatura, por ley general, puede disponer que un veterano parcialmente discapacitado tiene derecho a recibir una exención del impuesto ad valorem en un porcentaje del valor de mercado de la residencia principal del veterano discapacitado que sea igual al porcentaje de discapacidad del veterano discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia principal, o incluso a ningún costo para el veterano discapacitado. La legislatura, por ley general, puede disponer requisitos de elegibilidad adicionales para recibir la exención. Para los propósitos de esta subsección, un “veterano parcialmente discapacitado” es un veterano discapacitado tal como se describe en la Sección 2(b) de este artículo, que posee un certificado que indica que tiene una clasificación de discapacidad de menos del 100 por ciento. Una limitación o restricción al derecho de un veterano discapacitado a recibir una exención conforme a la Sección 2(b) de este artículo, o al monto de una exención conforme a la Sección 2(b), no se aplica a las exenciones conforme a esta subsección.

SECCIÓN 2. La Sección 1-b (1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 62, 83ª Sesión Legislativa, Sesión Regular, 2013, es redesignada como Sección 1-b(m), Artículo VIII, de la Constitución de Texas, para leerse de la siguiente manera:

(m) ~~((4))~~ La legislatura, por ley general, puede disponer que el cónyuge sobreviviente de un miembro de las fuerzas armadas de los Estados Unidos que resulte muerto en combate tenga derecho a recibir una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente mientras este no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 3. La Sección 1-b(m), Artículo VIII, de la Constitución de Texas, es redesignada como Sección 1-b(n), Artículo VIII, de la Constitución de Texas, y modificada para leerse de la siguiente manera:

(n) ~~((m))~~ La legislatura, por ley general, puede disponer que un cónyuge sobreviviente, que califica para recibir y recibe una exención según lo establecido en la Subsección (m) ~~((4))~~ de esta sección y que posteriormente califica una propiedad distinta como su residencia principal, tiene derecho a recibir una exención del impuesto ad valorem de la residencia calificada posteriormente en un monto equivalente al valor en dólares de la exención del impuesto ad valorem de la primera

Alexy Rios

From: Louri O'Leary <LO'Leary@sos.texas.gov>
Sent: Monday, September 11, 2017 3:16 PM
To: Louri O'Leary
Subject: FW: MASS E-Mail Advisory (CC/EA 655) Constitutional Amendments Full Text CORRECTED Version
Attachments: Full Text Cover on Letterhead.docx; Constitutional Amendments English.pdf; Constitutional Amendments Spanish.pdf; 2017 Full Text Constitutional Amendments Memo.pdf

Dear County Clerks

Please see the revised attachments.

Attached is the full text, with Spanish translations of the proposed constitutional amendments to be voted on November 7, 2017.

Please see the attached memorandum for further information.

If you have any questions concerning the documents or need any assistance, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

Thank you,
Louri O'Leary

Louri O'Leary

Office of the Texas Secretary of State
Elections Division ♦ Elections Administration Manager
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252. 8683 ♦ www.sos.state.tx.us/elections
D: 512.463.3204 ♦ F: 512.475.2811
loleary@sos.texas.gov

For Voter Related Information, please visit:



Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>



The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: County Clerks

FROM: Keith Ingram, Director of Elections 

DATE: September 11, 2017

RE: Full Text of Constitutional Amendments

Enclosed is the full text, with Spanish translations of the proposed constitutional amendments to be voted on November 7, 2017.

Article XVII, Section 1, Texas Constitution requires the County Clerk to post the full text of the proposed amendments in a public place in the courthouse at least 30 days prior to the November 7, 2017 constitutional amendment election, which is Monday, October 8, 2017.

You may post the enclosed notice any time after you receive this, **but no later than October 8, 2017.**

Since this is a constitutional requirement, the responsibility to post this notice is **not** shifted to the Elections Administrator in counties that have an Election Administrator nor is the deadline extended.

If you have any questions concerning the enclosed materials or need any assistance, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

KI: LO

Attachments

cc: Elections Administrators

surviving spouse who qualifies for and receives an exemption in accordance with Subsection (o) of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (o) of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the first responder.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

(b) Sections -b(o) and (p), Article VIII, of this constitution take effect January 1, 2018, and apply only to a tax year beginning on or after that date.

(c) This temporary provision expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty."

STATE OF TEXAS PROPOSITION 7

H.J.R. No. 37

HOUSE JOINT RESOLUTION

proposing a constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47, Article III, Texas Constitution, is amended by adding Subsection (d-2) to read as follows:

(d-2) Subsection (a) of this section does not prohibit the legislature from authorizing credit unions and other financial institutions to conduct, under the terms and conditions imposed by general law, promotional activities to promote savings in which prizes are awarded to one or more of the credit union's or financial institution's depositors selected by lot.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings."

HOUSE JOINT RESOLUTION

proposing a constitutional amendment on professional sports team charitable foundations conducting charitable raffles.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47(d-1), Article III, Texas Constitution, is amended to read as follows:

(d-1) The legislature by general law may permit a professional sports team charitable foundation to conduct charitable raffles under the terms and conditions imposed by general law. The law may authorize the charitable foundation to pay with the raffle proceeds reasonable advertising, promotional, and administrative expenses. A law enacted under this subsection ~~applies [may apply] only to an entity [that is] defined as a professional sports team charitable foundation under that law [on January 1, 2016,]~~ and may only allow charitable raffles to be conducted at games hosted at the home venue of the professional sports team associated with a professional sports team charitable foundation. In this subsection, "professional sports team" means:

(1) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association;

(2) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000;

(3) an organization hosting a Professional Golf Association event; or

(4) any other professional sports team defined by law.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment on professional sports team charitable foundations conducting charitable raffles."

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b, Article VIII, Texas Constitution, is amended by adding Subsections (o) and (p) to read as follows:

(o) The legislature by general law may provide that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the first responder. The legislature by general law may define "first responder" for purposes of this subsection and may prescribe additional eligibility requirements for the exemption authorized by this subsection.

(p) The legislature by general law may provide that a

office that is filled by appointment of the Governor with the advice and consent of the Senate and that is not an office for which the officer receives a salary, the period for which the officer shall continue to perform the duties of office under Subsection (a) of this section ends on the last day of the first regular session of the Legislature that begins after the expiration of the term.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person's term of office."

STATE OF TEXAS PROPOSITION 4
SENATE JOINT RESOLUTION

S.J.R. No. 6

proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article V, Texas Constitution, is amended by adding Section 32 to read as follows:

Sec. 32. Notwithstanding Section 1, Article II, of this constitution, the legislature may:

(1) require a court in which a party to litigation files a petition, motion, or other pleading challenging the constitutionality of a statute of this state to provide notice to the attorney general of the challenge if the party raising the challenge notifies the court that the party is challenging the constitutionality of the statute; and

(2) prescribe a reasonable period, which may not exceed 45 days, after the provision of that notice during which the court may not enter a judgment holding the statute unconstitutional.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies with respect to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period, not to exceed 45 days, before the court may enter a judgment holding the statute unconstitutional.

(b) Section 402.010, Government Code, as added by Chapter 808 (H.B. 2425), Acts of the 82nd Legislature, Regular Session, 2011, and amended by Chapter 1162 (S.B. 392) and Chapter 1276 (H.B. 1435), Acts of the 83rd Legislature, Regular Session, 2013, is validated and effective on approval of the constitutional amendment described by Subsection (a) of this temporary provision and applies only to a petition, motion, or other pleading filed on or after January 1, 2018.

(c) This temporary provision expires January 2, 2018.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional."

homestead on the date the extension of credit is established, does not exceed an amount described under Subsection (a)(6)(B) of this section;

(6) ~~(repealed) (no additional debits or advances are made if the total principal amount outstanding exceeds an amount equal to 50 percent of the fair market value of the homestead as determined on the date the account is established);~~

(7) the lender or holder may not unilaterally amend the extension of credit; and

(8) repayment is to be made in regular periodic installments, not more often than every 14 days and not less often than monthly, beginning not later than two months from the date the extension of credit is established, and:

(A) during the period during which the owner may request advances, each installment equals or exceeds the amount of accrued interest; and

(B) after the period during which the owner may request advances, installments are substantially equal.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

(b) The constitutional amendment takes effect January 1, 2018.

(c) The changes in law made by the constitutional amendment apply only to a home equity loan made on or after the effective date of the constitutional amendment and to an existing home equity loan that is refinanced on or after the effective date of the constitutional amendment.

(d) This temporary provision takes effect on the adoption of the constitutional amendment by the voters and expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads."

STATE OF TEXAS PROPOSITION 3

S.J.R. No. 34

SENATE JOINT RESOLUTION

proposing a constitutional amendment limiting the service of certain officeholders after the expiration of the person's term of office.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 17, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 17. (a) Except as provided by Subsection (b) of this section, all [All] officers of [within] this State shall continue to perform the duties of their offices until their successors shall be duly qualified.

(b) Following the expiration of a term of an appointive

BLANKS FOR SUBSTANTIAL TERMS OF AGREEMENT LEFT TO BE FILLED IN;

"(4) NOT REQUIRE THAT YOU SIGN A CONFESSION OF JUDGMENT OR POWER OF ATTORNEY TO ANOTHER PERSON TO CONFESS JUDGMENT OR APPEAR IN A LEGAL PROCEEDING ON YOUR BEHALF;

"(5) PROVIDE THAT YOU RECEIVE A COPY OF YOUR FINAL LOAN APPLICATION AND ALL EXECUTED DOCUMENTS YOU SIGN AT CLOSING;

"(6) PROVIDE THAT THE SECURITY INSTRUMENTS CONTAIN A DISCLOSURE THAT THIS LOAN IS A LOAN DEFINED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION;

"(7) PROVIDE THAT WHEN THE LOAN IS PAID IN FULL, THE LENDER WILL SIGN AND GIVE YOU A RELEASE OF LIEN OR AN ASSIGNMENT OF THE LIEN, WHICHEVER IS APPROPRIATE;

"(8) PROVIDE THAT YOU MAY, WITHIN 3 DAYS AFTER CLOSING, RESCIND THE LOAN WITHOUT PENALTY OR CHARGE;

"(9) PROVIDE THAT YOU AND THE LENDER ACKNOWLEDGE THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LOAN CLOSES; AND

"(10) PROVIDE THAT THE LENDER WILL FORFEIT ALL PRINCIPAL AND INTEREST IF THE LENDER FAILS TO COMPLY WITH THE LENDER'S OBLIGATIONS UNLESS THE LENDER CURES THE FAILURE TO COMPLY AS PROVIDED BY SECTION 50(a)(6)(Q)(x), ARTICLE XVI, OF THE TEXAS CONSTITUTION; AND

"(R) IF THE LOAN IS A HOME EQUITY LINE OF CREDIT:

"(1) YOU MAY REQUEST ADVANCES, REPAY MONEY, AND REBORROW MONEY UNDER THE LINE OF CREDIT;

"(2) EACH ADVANCE UNDER THE LINE OF CREDIT MUST BE IN AN AMOUNT OF AT LEAST \$4,000;

"(3) YOU MAY NOT USE A CREDIT CARD, DEBIT CARD, OR SIMILAR DEVICE, OR PREPRINTED CHECK THAT YOU DID NOT SOLICIT, TO OBTAIN ADVANCES UNDER THE LINE OF CREDIT;

"(4) ANY FEES THE LENDER CHARGES MAY BE CHARGED AND COLLECTED ONLY AT THE TIME THE LINE OF CREDIT IS ESTABLISHED AND THE LENDER MAY NOT CHARGE A FEE IN CONNECTION WITH ANY ADVANCE;

"(5) THE MAXIMUM PRINCIPAL AMOUNT THAT MAY BE EXTENDED, WHEN ADDED TO ALL OTHER DEBTS SECURED BY YOUR HOME, MAY NOT EXCEED 80 PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LINE OF CREDIT IS ESTABLISHED;

"(6) IF THE PRINCIPAL BALANCE UNDER THE LINE OF CREDIT AT ANY TIME EXCEEDS 80 [80] PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME, AS DETERMINED ON THE DATE THE LINE OF CREDIT IS ESTABLISHED, YOU MAY NOT CONTINUE TO REQUEST ADVANCES UNDER THE LINE OF CREDIT UNTIL THE BALANCE IS LESS THAN 80 [80] PERCENT OF THE FAIR MARKET VALUE; AND

"(7) THE LENDER MAY NOT UNILATERALLY AMEND THE TERMS OF THE LINE OF CREDIT.

"THIS NOTICE IS ONLY A SUMMARY OF YOUR RIGHTS UNDER THE TEXAS CONSTITUTION. YOUR RIGHTS ARE GOVERNED BY SECTION 50, ARTICLE XVI, OF THE TEXAS CONSTITUTION, AND NOT BY THIS NOTICE."

If the discussions with the borrower are conducted primarily in a language other than English, the lender shall, before closing, provide an additional copy of the notice translated into the written language in which the discussions were conducted.

(t) A home equity line of credit is a form of an open-end account that may be debited from time to time, under which credit may be extended from time to time and under which:

(1) the owner requests advances, repays money, and reborrows money;

(2) any single debit or advance is not less than \$4,000;

(3) the owner does not use a credit card, debit card, or similar device, or preprinted check unsolicited by the borrower, to obtain an advance;

(4) any fees described by Subsection (a)(6)(E) of this section are charged and collected only at the time the extension of credit is established and no fee is charged or collected in connection with any debit or advance;

(5) the maximum principal amount that may be extended under the account, when added to the aggregate total of the outstanding principal balances of all indebtedness secured by the

ALLOWS CERTAIN LOANS TO BE SECURED AGAINST THE EQUITY IN YOUR HOME. SUCH LOANS ARE COMMONLY KNOWN AS EQUITY LOANS. IF YOU DO NOT REPAY THE LOAN OR IF YOU FAIL TO MEET THE TERMS OF THE LOAN, THE LENDER MAY FORECLOSE AND SELL YOUR HOME. THE CONSTITUTION PROVIDES THAT:

"(A) THE LOAN MUST BE VOLUNTARILY CREATED WITH THE CONSENT OF EACH OWNER OF YOUR HOME AND EACH OWNER'S SPOUSE;

"(B) THE PRINCIPAL LOAN AMOUNT AT THE TIME THE LOAN IS MADE MUST NOT EXCEED AN AMOUNT THAT, WHEN ADDED TO THE PRINCIPAL BALANCES OF ALL OTHER LIENS AGAINST YOUR HOME, IS MORE THAN 80 PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME;

"(C) THE LOAN MUST BE WITHOUT RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE UNLESS YOU OR YOUR SPOUSE OBTAINED THIS EXTENSION OF CREDIT BY ACTUAL FRAUD;

"(D) THE LIEN SECURING THE LOAN MAY BE FORECLOSED UPON ONLY WITH A COURT ORDER;

"(E) FEES AND CHARGES TO MAKE THE LOAN MAY NOT EXCEED 2 (2) PERCENT OF THE LOAN AMOUNT, EXCEPT FOR A FEE OR CHARGE FOR AN APPRAISAL PERFORMED BY A THIRD PARTY APPRAISER, A PROPERTY SURVEY PERFORMED BY A STATE REGISTERED OR LICENSED SURVEYOR, A STATE BASE PREMIUM FOR A MORTGAGEE POLICY OF TITLE INSURANCE WITH ENDORSEMENTS, OR A TITLE EXAMINATION REPORT;

"(F) THE LOAN MAY NOT BE AN OPEN-END ACCOUNT THAT MAY BE DEBITED FROM TIME TO TIME OR UNDER WHICH CREDIT MAY BE EXTENDED FROM TIME TO TIME UNLESS IT IS A HOME EQUITY LINE OF CREDIT;

"(G) YOU MAY PREPAY THE LOAN WITHOUT PENALTY OR CHARGE;

"(H) NO ADDITIONAL COLLATERAL MAY BE SECURITY FOR THE LOAN;

"(I) ~~(repealed) [THE LOAN MAY NOT BE SECURED BY HOMESTEAD PROPERTY THAT IS DESIGNATED FOR AGRICULTURAL USE AS OF THE DATE OF CLOSING, UNLESS THE AGRICULTURAL HOMESTEAD PROPERTY IS USED PRIMARILY FOR THE PRODUCTION OF MILK];~~

"(J) YOU ARE NOT REQUIRED TO REPAY THE LOAN EARLIER THAN AGREED SOLELY BECAUSE THE FAIR MARKET VALUE OF YOUR HOME DECREASES OR BECAUSE YOU DEFAULT ON ANOTHER LOAN THAT IS NOT SECURED BY YOUR HOME;

"(K) ONLY ONE LOAN DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION MAY BE SECURED WITH YOUR HOME AT ANY GIVEN TIME;

"(L) THE LOAN MUST BE SCHEDULED TO BE REPAYED IN PAYMENTS THAT EQUAL OR EXCEED THE AMOUNT OF ACCRUED INTEREST FOR EACH PAYMENT PERIOD;

"(M) THE LOAN MAY NOT CLOSE BEFORE 12 DAYS AFTER YOU SUBMIT A LOAN APPLICATION TO THE LENDER OR BEFORE 12 DAYS AFTER YOU RECEIVE THIS NOTICE, WHICHEVER DATE IS LATER; AND MAY NOT WITHOUT YOUR CONSENT CLOSE BEFORE ONE BUSINESS DAY AFTER THE DATE ON WHICH YOU RECEIVE A COPY OF YOUR LOAN APPLICATION IF NOT PREVIOUSLY PROVIDED AND A FINAL ITEMIZED DISCLOSURE OF THE ACTUAL FEES, POINTS, INTEREST, COSTS, AND CHARGES THAT WILL BE CHARGED AT CLOSING; AND IF YOUR HOME WAS SECURITY FOR THE SAME TYPE OF LOAN WITHIN THE PAST YEAR, A NEW LOAN SECURED BY THE SAME PROPERTY MAY NOT CLOSE BEFORE ONE YEAR HAS PASSED FROM THE CLOSING DATE OF THE OTHER LOAN, UNLESS ON OATH YOU REQUEST AN EARLIER CLOSING DUE TO A DECLARED STATE OF EMERGENCY;

"(N) THE LOAN MAY CLOSE ONLY AT THE OFFICE OF THE LENDER, TITLE COMPANY, OR AN ATTORNEY AT LAW;

"(O) THE LENDER MAY CHARGE ANY FIXED OR VARIABLE RATE OF INTEREST AUTHORIZED BY STATUTE;

"(P) ONLY A LAWFULLY AUTHORIZED LENDER MAY MAKE LOANS DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION;

"(Q) LOANS DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION MUST:

"(1) NOT REQUIRE YOU TO APPLY THE PROCEEDS TO ANOTHER DEBT EXCEPT A DEBT THAT IS SECURED BY YOUR HOME OR OWED TO ANOTHER LENDER;

"(2) NOT REQUIRE THAT YOU ASSIGN WAGES AS SECURITY;

"(3) NOT REQUIRE THAT YOU EXECUTE INSTRUMENTS WHICH HAVE

property.

(f) A refinance of debt secured by the homestead, any portion of which is an extension of credit described by Subsection (a)(6) of this section, may not be secured by a valid lien against the homestead unless either:

(1) the refinance of the debt is an extension of credit described by Subsection (a)(6) or (a)(7) of this section; or

(2) all of the following conditions are met:

(A) the refinance is not closed before the first anniversary of the date the extension of credit was closed;

(B) the refinanced extension of credit does not include the advance of any additional funds other than:

(i) funds advanced to refinance a debt described by Subsections (a)(1) through (a)(7) of this section; or

(ii) actual costs and reserves required by the lender to refinance the debt;

(C) the refinance of the extension of credit is of a principal amount that when added to the aggregate total of the outstanding principal balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of the homestead on the date the refinance of the extension of credit is made; and

(D) the lender provides the owner the following written notice on a separate document not later than the third business day after the date the owner submits the loan application to the lender and at least 12 days before the date the refinance of the extension of credit is closed:

"YOUR EXISTING LOAN THAT YOU DESIRE TO REFINANCE IS A HOME EQUITY LOAN. YOU MAY HAVE THE OPTION TO REFINANCE YOUR HOME EQUITY LOAN AS EITHER A HOME EQUITY LOAN OR AS A NON-HOME EQUITY LOAN, IF OFFERED BY YOUR LENDER.

"HOME EQUITY LOANS HAVE IMPORTANT CONSUMER PROTECTIONS. A LENDER MAY ONLY FORECLOSE A HOME EQUITY LOAN BASED ON A COURT ORDER. A HOME EQUITY LOAN MUST BE WITHOUT RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE.

"IF YOU HAVE APPLIED TO REFINANCE YOUR EXISTING HOME EQUITY LOAN AS A NON-HOME EQUITY LOAN, YOU WILL LOSE CERTAIN CONSUMER PROTECTIONS. A NON-HOME EQUITY REFINANCED LOAN:

"(1) WILL PERMIT THE LENDER TO FORECLOSE WITHOUT A COURT ORDER;

"(2) WILL BE WITH RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE; AND

"(3) MAY ALSO CONTAIN OTHER TERMS OR CONDITIONS THAT MAY NOT BE PERMITTED IN A TRADITIONAL HOME EQUITY LOAN.

"BEFORE YOU REFINANCE YOUR EXISTING HOME EQUITY LOAN TO MAKE IT A NON-HOME EQUITY LOAN, YOU SHOULD MAKE SURE YOU UNDERSTAND THAT YOU ARE WAIVING IMPORTANT PROTECTIONS THAT HOME EQUITY LOANS PROVIDE UNDER THE LAW AND SHOULD CONSIDER CONSULTING WITH AN ATTORNEY OF YOUR CHOICE REGARDING THESE PROTECTIONS.

"YOU MAY WISH TO ASK YOUR LENDER TO REFINANCE YOUR LOAN AS A HOME EQUITY LOAN. HOWEVER, A HOME EQUITY LOAN MAY HAVE A HIGHER INTEREST RATE AND CLOSING COSTS THAN A NON-HOME EQUITY LOAN."

(f-1) A lien securing a refinance of debt under Subsection (f)(2) of this section is deemed to be a lien described by Subsection (a)(4) of this section. An affidavit executed by the owner or the owner's spouse acknowledging that the requirements of Subsection (f)(2) of this section have been met conclusively establishes that the requirements of Subsection (a)(4) of this section have been met.

(g) An extension of credit described by Subsection (a)(6) of this section may be secured by a valid lien against homestead property if the extension of credit is not closed before the 12th day after the lender provides the owner with the following written notice on a separate instrument:

"NOTICE CONCERNING EXTENSIONS OF CREDIT DEFINED BY SECTION 50(a)(6), ARTICLE XV, TEXAS CONSTITUTION:

"SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION

extension of credit;

(viii) the owner of the homestead and any spouse of the owner may, within three days after the extension of credit is made, rescind the extension of credit without penalty or charge;

(ix) the owner of the homestead and the lender sign a written acknowledgment as to the fair market value of the homestead property on the date the extension of credit is made;

(x) except as provided by Subparagraph (xi) of this paragraph, the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the lender or holder fails to comply with the lender's or holder's obligations under the extension of credit and fails to correct the failure to comply not later than the 60th day after the date the lender or holder is notified by the borrower of the lender's failure to comply by:

(a) paying to the owner an amount equal to any overcharge paid by the owner under or related to the extension of credit if the owner has paid an amount that exceeds an amount stated in the applicable Paragraph (E), (G), or (O) of this subdivision;

(b) sending the owner a written acknowledgement that the lien is valid only in the amount that the extension of credit does not exceed the percentage described by Paragraph (B) of this subdivision, if applicable, or is not secured by property described under Paragraph (H) ~~(or (I))~~ of this subdivision, if applicable;

(c) sending the owner a written notice modifying any other amount, percentage, term, or other provision prohibited by this section to a permitted amount, percentage, term, or other provision and adjusting the account of the borrower to ensure that the borrower is not required to pay more than an amount permitted by this section and is not subject to any other term or provision prohibited by this section;

(d) delivering the required documents to the borrower if the lender fails to comply with Subparagraph (v) of this paragraph or obtaining the appropriate signatures if the lender fails to comply with Subparagraph (ix) of this paragraph;

(e) sending the owner a written acknowledgement, if the failure to comply is prohibited by Paragraph (K) of this subdivision, that the accrual of interest and all of the owner's obligations under the extension of credit are abated while any prior lien prohibited under Paragraph (K) remains secured by the homestead; or

(f) if the failure to comply cannot be cured under Subparagraphs (x)(a)-(e) of this paragraph, curing the failure to comply by a refund or credit to the owner of \$1,000 and offering the owner the right to refinance the extension of credit with the lender or holder for the remaining term of the loan at no cost to the owner on the same terms, including interest, as the original extension of credit with any modifications necessary to comply with this section or on terms on which the owner and the lender or holder otherwise agree that comply with this section; and

(xi) the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the extension of credit is made by a person other than a person described under Paragraph (P) of this subdivision or if the lien was not created under a written agreement with the consent of each owner and each owner's spouse, unless each owner and each owner's spouse who did not initially consent subsequently consents;

(7) a reverse mortgage; or

(8) the conversion and refinance of a personal property lien secured by a manufactured home to a lien on real property, including the refinance of the purchase price of the manufactured home, the cost of installing the manufactured home on the real property, and the refinance of the purchase price of the real

modify previously provided documentation on the date of closing;
and

(ii) the first anniversary of the closing date of any other extension of credit described by Subsection (a)(6) of this section secured by the same homestead property, except a refinance described by Paragraph (Q)(x)(f) of this subdivision, unless the owner on oath requests an earlier closing due to a state of emergency that:

(a) has been declared by the president of the United States or the governor as provided by law; and

(b) applies to the area where the homestead is located;

(N) is closed only at the office of the lender, an attorney at law, or a title company;

(O) permits a lender to contract for and receive any fixed or variable rate of interest authorized under statute;

(P) is made by one of the following that has not been found by a federal regulatory agency to have engaged in the practice of refusing to make loans because the applicants for the loans reside on the property proposed to secure the loans is located in a certain area:

(i) a bank, savings and loan association, savings bank, or credit union doing business under the laws of this state or the United States, including a subsidiary of a bank, savings and loan association, savings bank, or credit union described by this subparagraph;

(ii) a federally chartered lending instrumentality or a person approved as a mortgagee by the United States government to make federally insured loans;

(iii) a person licensed to make regulated loans, as provided by statute of this state;

(iv) a person who sold the homestead property to the current owner and who provided all or part of the financing for the purchase;

(v) a person who is related to the homestead property owner within the second degree of affinity or consanguinity; or

(vi) a person regulated by this state as a mortgage banker or mortgage company [broker]; and

(Q) is made on the condition that:

(i) the owner of the homestead is not required to apply the proceeds of the extension of credit to repay another debt except debt secured by the homestead or debt to another lender;

(ii) the owner of the homestead not assign wages as security for the extension of credit;

(iii) the owner of the homestead not sign any instrument in which blanks relating to substantive terms of agreement are left to be filled in;

(iv) the owner of the homestead not sign a confession of judgment or power of attorney to the lender or to a third person to confess judgment or to appear for the owner in a judicial proceeding;

(v) at the time the extension of credit is made, the owner of the homestead shall receive a copy of the final loan application and all executed documents signed by the owner at closing related to the extension of credit;

(vi) the security instruments securing the extension of credit contain a disclosure that the extension of credit is the type of credit defined by Subsection (a)(6) of this section [Section 50(6), Article XVI, Texas Constitution];

(vii) within a reasonable time after termination and full payment of the extension of credit, the lender cancel and return the promissory note to the owner of the homestead and give the owner, in recordable form, a release of the lien securing the extension of credit or a copy of an endorsement and assignment of the lien to a lender that is refinancing the

the homestead on the date the extension of credit is made;

(C) is without recourse for personal liability against each owner and the spouse of each owner, unless the owner or spouse obtained the extension of credit by actual fraud;

(D) is secured by a lien that may be foreclosed upon only by a court order;

(E) does not require the owner or the owner's spouse to pay, in addition to any interest or any bona fide discount points used to buy down the interest rate, any fees to any person that are necessary to originate, evaluate, maintain, record, insure, or service the extension of credit that exceed, in the aggregate, two [three] percent of the original principal amount of the extension of credit, excluding fees for:

(i) an appraisal performed by a third party appraiser;

(ii) a property survey performed by a state registered or licensed surveyor;

(iii) a state base premium for a mortgagee policy of title insurance with endorsements established in accordance with state law; or

(iv) a title examination report if its cost is less than the state base premium for a mortgagee policy of title insurance without endorsements established in accordance with state law;

(F) is not a form of open-end account that may be debited from time to time or under which credit may be extended from time to time unless the open-end account is a home equity line of credit;

(G) is payable in advance without penalty or other charge;

(H) is not secured by any additional real or personal property other than the homestead;

(I) ~~(repealed) [is not secured by homestead property that on the date of closing is designated for agricultural use as provided by statutes governing property tax, unless such homestead property is used primarily for the production of milk];~~

(J) may not be accelerated because of a decrease in the market value of the homestead or because of the owner's default under other indebtedness not secured by a prior valid encumbrance against the homestead;

(K) is the only debt secured by the homestead at the time the extension of credit is made unless the other debt was made for a purpose described by Subsections (a)(1)-(a)(5) or Subsection (a)(8) of this section;

(L) is scheduled to be repaid:

(i) in substantially equal successive periodic installments, not more often than every 14 days and not less often than monthly, beginning no later than two months from the date the extension of credit is made, each of which equals or exceeds the amount of accrued interest as of the date of the scheduled installment; or

(ii) if the extension of credit is a home equity line of credit, in periodic payments described under Subsection (t)(8) of this section;

(M) is closed not before:

(i) the 12th day after the later of the date that the owner of the homestead submits a loan application to the lender for the extension of credit or the date that the lender provides the owner a copy of the notice prescribed by Subsection (g) of this section;

(ii) one business day after the date that the owner of the homestead receives a copy of the loan application if not previously provided and a final itemized disclosure of the actual fees, points, interest, costs, and charges that will be charged at closing. If a bona fide emergency or another good cause exists and the lender obtains the written consent of the owner, the lender may provide the documentation to the owner or the lender may

provisions of the Texas Constitution."

STATE OF TEXAS PROPOSITION 2

S.J.R. No. 60

SENATE JOINT RESOLUTION

proposing a constitutional amendment establishing a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 50, Article XVI, Texas Constitution, is amended by amending subsections (a), (f), (g), and (t) and adding Subsection (f-1) to read as follows:

(a) The homestead of a family, or of a single adult person, shall be, and is hereby protected from forced sale, for the payment of all debts except for:

(1) the purchase money thereof, or a part of such purchase money;

(2) the taxes due thereon;

(3) an entirety of partition imposed against the entirety of the property by a court order or by a written agreement of the parties to the partition, including a debt of one spouse in favor of the other spouse resulting from a division or an award of a family homestead in a divorce proceeding;

(4) the refinancing of a lien against a homestead, including a federal tax lien resulting from the tax debt of both spouses, if the homestead is a family homestead, or from the tax debt of the owner;

(5) work and material used in constructing new improvements thereon, if contracted for in writing, or work and material used to repair or renovate existing improvements thereon if:

(A) the work and material are contracted for in writing, with the consent of both spouses, in the case of a family homestead, given in the same manner as is required in making a sale and conveyance of the homestead;

(B) the contract for the work and material is not executed by the owner or the owner's spouse before the fifth day after the owner makes written application for any extension of credit for the work and material, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing;

(C) the contract for the work and material expressly provides that the owner may rescind the contract without penalty or charge within three days after the execution of the contract by all parties, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing; and

(D) the contract for the work and material is executed by the owner and the owner's spouse only at the office of a third-party lender making an extension of credit for the work and material, an attorney at law, or a title company;

(6) an extension of credit that:

(A) is secured by a voluntary lien on the homestead created under a written agreement with the consent of each owner and each owner's spouse;

(B) is of a principal amount that when added to the aggregate total of the outstanding principal balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of

HOUSE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.J.R. 24, 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(1) The legislature by general law may provide that a partially disabled veteran is entitled to an exemption from ad valorem taxation of a percentage of the market value of the disabled veteran's residence homestead that is equal to the percentage of disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead, including at no cost to the disabled veteran. The legislature by general law may provide additional eligibility requirements for the exemption. For purposes of this subsection, "partially disabled veteran" means a disabled veteran as described by Section 2(b) of this article who is certified as having a disability rating of less than 100 percent. A limitation or restriction on a disabled veteran's entitlement to an exemption under Section 2(b) of this article, or on the amount of an exemption under Section 2(b), does not apply to an exemption under this subsection.

SECTION 2. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.C.R. 62, 83rd Legislature, Regular Session, 2013, is redesignated as Section 1-b(m), Article VIII, Texas Constitution, to read as follows:

(m) ~~(1)~~ The legislature by general law may provide that the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 3. Section 1-b(m), Article VIII, Texas Constitution, is redesignated as Section 1-b(n), Article VIII, Texas Constitution, and amended to read as follows:

(n) ~~(m)~~ The legislature by general law may provide that a surviving spouse who qualifies for and receives an exemption in accordance with Subsection (m) ~~(1)~~ of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (m) ~~(1)~~ of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us



Rolando B. Pablos
Secretary of State

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

CONSTITUTIONAL AMENDMENTS

TO BE VOTED ON

NOVEMBER 7, 2017

ELECTION

FULL TEXT OF AMENDMENTS

PROPUESTA NÚMERO 7 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

H.J.R. Nº 37

Se propone una enmienda constitucional con relación al poder legislativo para permitir que las cooperativas de crédito y otras instituciones financieras otorguen premios por sorteo para promover el ahorro.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 47, Artículo III, de la Constitución de Texas, se modifica añadiendo la Subsección (d-2) para leerse de la siguiente manera:

(d-2) La subsección (a) de esta sección no le prohíbe a la legislatura autorizar a las cooperativas de crédito y a otras instituciones financieras llevar a cabo, conforme a los términos y condiciones impuestos por ley general, actividades promocionales para promover el ahorro en las cuales los premios son otorgados a uno o más de los depositantes de las cooperativas de crédito o instituciones financieras elegidos por sorteo.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional relacionada con el poder legislativo para permitir que las cooperativas de crédito y otras instituciones financieras otorguen premios por sorteo para promover el ahorro".

automóviles reconocida a nivel nacional en un estadio de este estado que tenga una capacidad permanente para no menos de 75,000 personas sentadas;

(3) una organización anfitriona de un evento de la Asociación de Golf Profesional; o

(4) cualquier otro equipo deportivo profesional definido por la ley.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional sobre las fundaciones benéficas de equipos deportivos profesionales que realizan rifas caritativas".

PROPUESTA NÚMERO 6 DEL ESTADO DE TEXAS

S.J.R. Nº 1

RESOLUCIÓN CONJUNTA DEL SENADO

Se propone una enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio".

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 1-b, Artículo VIII, de la Constitución de Texas, se modifica añadiendo las Subsecciones (o) y (p) para leerse de la siguiente manera:

(o) La legislatura, por ley general, puede disponer que el cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio tiene derecho a recibir una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente, mientras este no se haya vuelto a casar desde la muerte del agente de primera intervención. La legislatura, por ley general, puede definir "agente de primera intervención" para los propósitos de esta subsección y puede prescribir requisitos de elegibilidad adicionales para recibir la exención autorizada en esta subsección.

(p) La legislatura, por ley general, puede disponer que un cónyuge sobreviviente, que califica para recibir y recibe una exención de acuerdo con la Subsección (o) de esta sección y que posteriormente califica una propiedad distinta como su residencia principal, tiene derecho a recibir una exención del impuesto ad valorem de la residencia calificada posteriormente en un monto equivalente al valor en dólares de la exención del impuesto ad valorem de la primera residencia por la que se recibió la exención de acuerdo con la Subsección (o) de esta sección en el último año en que el cónyuge sobreviviente recibió la exención conforme a esa subsección para esa residencia mientras este no se haya vuelto a casar desde la muerte del agente de primera intervención.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio.

(b) Las Secciones 1-b(c) y (p), Artículo VIII, de esta constitución entran en efecto el 1 de enero de 2018 y se aplican sólo a un año tributario que comience en o después de esa fecha.

(c) Esta disposición temporal caduca el 1 de enero de 2019.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio".

(2) prescribir un período razonable, de no más de 45 días después de la disposición de esa notificación, durante el cual el tribunal no puede dictaminar que dicha ley es inconstitucional.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica con respecto a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera, no mayor de 45 días, antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional.

(b) La Sección 402.010 del Código de Gobierno, según lo agregado en el Capítulo 808 (H.B. (Proyecto de Ley de la Cámara de Representantes) 2425), Leves de la 82ª Sesión Legislativa, Sesión Regular, 2011, y modificada en el Capítulo 1162 (S.B. (Proyecto de Ley Senatorial) 392) y el Capítulo 1276 (H.B. 1435), Leves de la 83ª Sesión Legislativa, Sesión Regular, 2013, se valida y se hace efectiva con la aprobación de la enmienda constitucional descrita en la Subsección (a) de esta disposición temporal y se aplica sólo a una petición, moción u otro escrito presentado a partir del 1 de enero de 2018.

(c) Esta disposición temporal caduca el 2 de enero de 2018.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: “La enmienda constitucional que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional”.

PROPUESTA NÚMERO 5 DEL ESTADO DE TEXAS H.J.R. Nº 100
RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional sobre las fundaciones benéficas de equipos deportivos profesionales que realizan rifas caritativas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 47(d-1), Artículo III, de la Constitución de Texas, se modifica para leerse de la siguiente manera:

(d-1) La legislatura, por ley general, puede permitirle a la fundación benéfica de un equipo deportivo profesional realizar rifas caritativas conforme a los términos y condiciones impuestos por ley general. La ley puede autorizar a la fundación benéfica a pagar, con los ingresos provenientes de las rifas, gastos administrativos, de publicidad y de promoción que sean razonables. Una ley sancionada conforme a esta subsección se aplica ~~[puede aplicarse]~~ sólo a una entidad ~~[que sea]~~ definida como la fundación benéfica de un equipo deportivo profesional de acuerdo con esa ley [al 1 de enero de 2016,] y sólo puede permitir que las rifas caritativas sean realizadas en partidos organizados en el estadio local del equipo deportivo profesional asociado a la fundación benéfica de ese equipo deportivo profesional. En esta subsección, un “equipo deportivo profesional” significa:

(1) un equipo organizado en este estado que es miembro de la Liga Mayor de Béisbol, la Asociación Nacional de Baloncesto, la Liga Nacional de Hockey, la Liga Nacional de Fútbol Americano, las Ligas Mayores de Fútbol, la Liga Estadounidense de Hockey, la Liga de Hockey de la Costa Este, la Asociación Estadounidense de Béisbol Profesional Independiente, la Liga de Béisbol Profesional del Atlántico, las Ligas Menores de Béisbol, la Liga de Desarrollo de la Asociación Nacional de Baloncesto, la Liga Nacional de Fútbol Profesional Femenino, la Liga Mayor de Fútbol Rápido, la Liga de Fútbol Unida o la Asociación Nacional de Baloncesto Femenino;

(2) una persona que organiza una carrera de autos autorizada por la Asociación Nacional de Carreras de Automóviles de Serie (NASCAR), INDYCar u otra asociación de carreras de

adoptada por los votantes y cobra efecto el 1 de enero de 2019.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para un anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas".

PROPUESTA NÚMERO 3 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 34

Se propone una enmienda constitucional que limite el servicio de ciertos funcionarios públicos después del vencimiento del mandato de la persona.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 17, Artículo XVI, de la Constitución de Texas, se modifica para leerse de la siguiente manera:

Sección 17. (a) A excepción de lo establecido en la Subsección (b) de esta sección, todos [Todos] los funcionarios de [de] este estado deben continuar cumpliendo los deberes de su cargo hasta que sus sucesores sean debidamente calificados.

(b) Después del vencimiento del mandato de un cargo designado que es ocupado por nombramiento del Gobernador con el consejo y consentimiento del Senado y que no sea un cargo por el que el funcionario recibe un sueldo, el período durante el cual el funcionario deberá continuar cumpliendo los deberes de su cargo conforme a la Subsección (a) de esta sección terminará el último día de la primera Sesión Regular de la Legislatura que empiece después del vencimiento del mandato.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional que limite el servicio de ciertos funcionarios públicos nombrados por el gobernador y confirmados por el senado después del vencimiento del mandato de la persona".

PROPUESTA NÚMERO 4 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 6

Se propone una enmienda constitucional que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. El Artículo 1, de la Constitución de Texas, se modifica añadiendo la Sección 32 para leerse de la siguiente manera:

Sección 32. Sin perjuicio de la Sección 1, Artículo II, de esta constitución, la legislatura puede:

(1) requerir que un tribunal en el que una parte litigante presenta una petición, una moción u otro escrito que impugna la constitucionalidad de una ley de este estado notifique al fiscal general de dicha impugnación si la parte que plantea la impugnación notifica al tribunal que está impugnando la constitucionalidad de tal ley; y

CUALQUIER MOMENTO EL 80 [50] POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR, SEGÚN LO DETERMINADO EN LA FECHA EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO, USTED NO PODRÁ CONTINUAR SOLICITANDO ANTICIPOS CONFORME A LA LÍNEA DE CRÉDITO HASTA QUE EL SALDO PENDIENTE SEA MENOR AL 80 [50] POR CIENTO DEL VALOR JUSTO DE MERCADO; Y

"(7) EL PRESTAMISTA NO PUEDE MODIFICAR UNILATERALMENTE LOS TÉRMINOS DE LA LÍNEA DE CRÉDITO.

"ESTA NOTIFICACIÓN ES SÓLO UN RESUMEN DE SUS DERECHOS CONFORME A LA CONSTITUCIÓN DE TEXAS. SUS DERECHOS SE RIGEN POR LA SECCIÓN 50, ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS, Y NO POR ESTA NOTIFICACIÓN".

Si las discusiones con el prestatario son llevadas a cabo principalmente en un idioma que no sea el inglés, el prestamista debe, antes del cierre, proporcionar una copia adicional de la notificación traducida por escrito al idioma en el que fueron llevadas a cabo las discusiones.

{t} Una línea de crédito con respaldo hipotecario es un tipo de línea de crédito abierta que puede ser debitada ocasionalmente, conforme a la cual el crédito puede ser extendido ocasionalmente y conforme a la cual:

(1) el propietario solicita anticipos, reembolsa dinero y vuelve a tomar dinero prestado;

(2) cualquier débito o anticipo simple es mayor que \$4,000;

(3) el propietario no utiliza una tarjeta de crédito, una tarjeta de débito o un recurso similar, o un cheque preimpreso que no haya sido solicitado por el prestatario, para obtener un anticipo;

(4) cualquier tasa descrita en la Subsección (a)(6)(E) de esta sección es cargada y cobrada sólo en el momento en que se establece la extensión del crédito, y no se carga ni se cobra ninguna tasa en conexión con cualquier débito o anticipo;

(5) la cantidad principal máxima que puede ser extendida conforme a la línea de crédito, al ser añadida a la suma total de los saldos pendientes del capital de todas las deudas garantizadas por la propiedad en la fecha en que se establece la extensión del crédito, no supera una cantidad descrita conforme a la Subsección (a)(6)(B) de esta sección;

(6) (derogada) [no se hace ningún débito o anticipo adicional si el saldo pendiente total del capital supera una cantidad equivalente al 50 por ciento del valor justo de mercado de la propiedad según lo determinado en la fecha en que se establece la línea de crédito];

(7) el prestamista o titular no puede modificar unilateralmente la extensión del crédito; y

(8) la liquidación debe ser hecha en cuotas periódicas regulares, con una frecuencia no mayor que cada 14 días y no menor que cada mes, empezando no más de dos meses después de la fecha en que se establece la extensión del crédito, y:

(A) durante el período en que el propietario puede solicitar anticipos, cada cuota equivale a o supera la cantidad de interés acumulado; y

(B) luego del período en que el propietario puede solicitar anticipos, las cuotas son sustancialmente iguales.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para un anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas.

(b) La enmienda constitucional entra en efecto el 1 de enero de 2018.

(c) Los cambios a las leyes hechos por la enmienda constitucional se aplican sólo a un préstamo con garantía hipotecaria realizado a partir de la fecha de vigencia de la enmienda constitucional y a un préstamo con garantía hipotecaria existente que sea refinanciado a partir de la fecha de vigencia de la enmienda constitucional.

(d) Esta disposición temporal entra en efecto cuando la enmienda constitucional es

USTED RECIBE UNA COPIA DE LA SOLICITUD DE PRÉSTAMO, SI NO LE HA SIDO PROPORCIONADA ANTERIORMENTE, Y UNA DIVULGACIÓN FINAL DETALLADA DE LAS TASAS, PUNTOS, INTERESES, COSTOS Y CARGOS REALES QUE SERÁN COBRADOS EN EL CIERRE; Y SI SU HOGAR ACTUÓ COMO GARANTÍA PARA EL MISMO TIPO DE PRÉSTAMO EN EL ÚLTIMO AÑO, NO PUEDE CERRARSE UN NUEVO PRÉSTAMO GARANTIZADO POR LA MISMA PROPIEDAD ANTES DE QUE HAYA PASADO UN AÑO DESDE LA FECHA DE CIERRE DEL OTRO PRÉSTAMO, A MENOS QUE USTED HAYA SOLICITADO BAJO JURAMENTO UN CIERRE ANTERIOR DEBIDO A UN ESTADO DE EMERGENCIA DECLARADO;

"(N) EL PRÉSTAMO SÓLO PUEDE CERRARSE EN LA OFICINA DEL PRESTAMISTA, UNA COMPAÑÍA DE TÍTULOS DE PROPIEDAD O EL ESTUDIO DE UN ABOGADO;

"(O) EL PRESTAMISTA PUEDE COBRAR CUALQUIER TASA DE INTERÉS FIJA O VARIABLE AUTORIZADA POR LA LEY;

"(P) SÓLO UN PRESTAMISTA AUTORIZADO LEGALMENTE PUEDE HACER PRÉSTAMOS DESCRITOS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS;

"(Q) LOS PRÉSTAMOS DESCRITOS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS:

"(1) NO DEBEN REQUERIR QUE USTED APLIQUE LOS INGRESOS A OTRA DEUDA, EXCEPTO QUE SEA UNA DEUDA QUE ESTÉ GARANTIZADA POR SU HOGAR O UNA DEUDA A OTRO PRESTAMISTA;

"(2) NO DEBEN REQUERIR QUE USTED ASIGNE SALARIOS COMO GARANTÍA;

"(3) NO DEBEN REQUERIR QUE USTED FIRME DOCUMENTOS QUE TENGAN ESPACIOS VACÍOS PARA RELLENAR RELACIONADOS CON TÉRMINOS SUSTANCIALES DEL ACUERDO;

"(4) NO DEBEN REQUERIR QUE USTED FIRME UNA DECLARACIÓN JURADA DE ADMISIÓN DE DEUDA O PODER NOTARIAL A OTRA PERSONA PARA ADMITIR SU DEUDA O COMPARECER EN UN PROCEDIMIENTO LEGAL EN SU NOMBRE;

"(5) DEBEN DISPONER QUE USTED RECIBA UNA COPIA DE LA SOLICITUD FINAL DE PRÉSTAMO Y DE TODOS LOS DOCUMENTOS FIRMADOS QUE USTED FIRME EN EL CIERRE;

"(6) DEBEN DISPONER QUE LOS DOCUMENTOS DE GARANTÍA CONTENGAN UNA CLÁUSULA DE DIVULGACIÓN QUE ESTABLEZCA QUE ESTE PRÉSTAMO ES UN PRÉSTAMO DEFINIDO EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS;

"(7) DEBEN DISPONER QUE CUANDO EL PRÉSTAMO SEA PAGADO EN SU TOTALIDAD, EL PRESTAMISTA FIRMARÁ Y LEVARÁ UNA LIBERACIÓN DE GRAVAMEN O UNA ASIGNACIÓN DEL GRAVAMEN, SEGÚN SEA APROPIADO;

"(8) DEBEN DISPONER QUE USTED PUEDA RESCINDIR EL PRÉSTAMO DENTRO DE LOS 3 DÍAS POSTERIORES AL CIERRE, SIN FINALIZACIÓN NI CARGOS;

"(9) DEBEN DISPONER QUE USTED Y EL PRESTAMISTA RECONOZCAN EL VALOR JUSTO DE MERCADO DE SU HOGAR EN LA FECHA EN QUE SE CIERRA EL PRÉSTAMO; Y

"(10) DEBEN DISPONER QUE EL PRESTAMISTA RENUNCIARÁ A TODOS LOS CAPITALES E INTERESES SI NO CUMPLE SUS OBLIGACIONES, A MENOS QUE EL PRESTAMISTA SUBSANE SU INCUMPLIMIENTO SEGÚN LO ESTABLECIDO EN LA SECCIÓN 50(a)(6)(Q)(x), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS; Y

"(R) SI EL PRÉSTAMO ES UNA LÍNEA DE CRÉDITO CON RESPALDO HIPOTECARIO:

"(1) USTED PUEDE SOLICITAR ANTICIPOS, REEMBOLSAR DINERO Y VOLVER A TOMAR DINERO PRESTADO CONFORME A LA LÍNEA DE CRÉDITO;

"(2) CADA ANTICIPO CONFORME A LA LÍNEA DE CRÉDITO DEBE REALIZARSE POR UN MONTO DE AL MENOS \$4,000;

"(3) USTED NO PUEDE UTILIZAR UNA TARJETA DE CRÉDITO, TARJETA DE DÉBITO O RECURSO SIMILAR, O UN CHEQUE PREIMPRESO QUE NO SOLICITÓ, PARA OBTENER ANTICIPOS CONFORME A LA LÍNEA DE CRÉDITO;

"(4) CUALQUIER TASA QUE EL PRESTAMISTA COBRE PODRÁ SER CARGADA Y COBRADA SÓLO EN EL MOMENTO EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO Y EL PRESTAMISTA NO PUEDE COBRAR UNA TASA EN CONEXIÓN CON NINGÚN ANTICIPO;

"(5) LA CANTIDAD PRINCIPAL MÁXIMA QUE PUEDE SER EXTENDIDA, AL SER AÑADIDA A TODAS LAS OTRAS DEUDAS GARANTIZADAS POR SU HOGAR, NO PUEDE SUPERAR EL 80 POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR EN LA FECHA EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO;

"(6) SI EL SALDO PENDIENTE DEL CAPITAL CONFORME A LA LÍNEA DE CRÉDITO SUPERA EN

PRÉSTAMO SIN GARANTÍA HIPOTECARIA"

(f-1) Un gravamen que garantiza el refinanciamiento de una deuda conforme a la Subsección (f)(2) de esta sección es considerado un gravamen descrito en la Subsección (a)(4) de esta sección. Una declaración jurada firmada por el propietario o el cónyuge del propietario en la que reconoce que se han cumplido los requisitos de la Subsección (f)(2) de esta sección establece concluyentemente que se han cumplido los requisitos de la Subsección (a)(4) de esta sección.

(g) Una extensión del crédito descrita en la Subsección (a)(6) de esta sección puede ser garantizada por un gravamen válido sobre la vivienda si la extensión del crédito no se cierra antes del día 12 después de que el prestamista le proporcione al propietario la siguiente notificación escrita en un documento separado:

"NOTIFICACIÓN RELACIONADA CON LAS EXTENSIONES DEL CRÉDITO DEFINIDAS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS:

"LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PERMITE QUE CIERTOS PRÉSTAMOS SEAN GARANTIZADOS POR LA HIPOTECA DE SU HOGAR. ESOS PRÉSTAMOS SON CONOCIDOS COMÚNMENTE COMO PRÉSTAMOS CON GARANTÍA HIPOTECARIA. SI USTED NO LIQUIDA EL PRÉSTAMO O NO CUMPLE LAS CONDICIONES DEL PRÉSTAMO, EL PRESTAMISTA PUEDE EJECUTAR LA HIPOTECA Y VENDER SU HOGAR. LA CONSTITUCIÓN DISPONE QUE:

"(A) EL PRÉSTAMO DEBE SER CREADO VOLUNTARIAMENTE CON EL CONSENTIMIENTO DE CADA UNO DE LOS PROPIETARIOS DE SU HOGAR Y EL CÓNYUGE DE CADA UNO DE LOS PROPIETARIOS;

"(B) EL MONTO PRINCIPAL DEL PRÉSTAMO EN EL MOMENTO EN QUE SE HACE EL PRÉSTAMO NO DEBE SUPERAR UNA CANTIDAD QUE, AL SER AÑADIDA A LOS SALDOS PENDIENTES DEL CAPITAL DE TODOS LOS OTROS GRAVÁMENES SOBRE SU HOGAR, SEA MAYOR AL 80 POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR;

(C) EL PRÉSTAMO NO DEBE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE, A MENOS QUE USTED O SU CÓNYUGE HAYAN OBTENIDO LA EXTENSIÓN DEL CRÉDITO MEDIANTE UN FRAUDE;

"(D) EL GRAVAMEN QUE GARANTIZA EL PRÉSTAMO PUEDE SER EJECUTADO SÓLO CON UNA ORDEN DE UN TRIBUNAL;

"(E) LAS TASAS Y CARGOS PARA HACER EL PRÉSTAMO NO PUEDEN SUPERAR EL 2 [3] POR CIENTO DEL MONTO DEL PRÉSTAMO, EXCEPTO POR LAS TASAS O CARGOS POR UNA VALORACIÓN IMPOSITIVA REALIZADA POR UN TASADOR EXTERNO, UNA AGRIMENSURA DE LA PROPIEDAD REALIZADA POR UN AGRIMENSOR REGISTRADO O LICENCIADO EN EL ESTADO, UNA PRIMA DE BASE ESTATAL POR UNA PÓLIZA DE SEGURO DE TÍTULO PARA HIPOTECA CON RESPALDOS, O UN INFORME DE EVALUACIÓN DE TÍTULO;

"(F) EL PRÉSTAMO NO PUEDE SER UNA LÍNEA DE CRÉDITO ABIERTA QUE PUEDA SER DEBITADA OCASIONALMENTE O CONFORME A LA CUAL EL CRÉDITO PUEDA SER EXTENDIDO OCASIONALMENTE, A MENOS QUE SEA UNA LÍNEA DE CRÉDITO CON RESPALDO HIPOTECARIO;

"(G) USTED PUEDE PAGAR EL PRÉSTAMO POR ANTICIPADO SIN PENALIZACIÓN NI CARGOS;

"(H) NINGUNA GARANTÍA REAL ADICIONAL PUEDE ACTUAR COMO GARANTÍA PARA EL PRÉSTAMO;

"(I) ~~(derogada)~~ ~~EL PRÉSTAMO NO PUEDE SER GARANTIZADO POR UNA VIVIENDA DESIGNADA PARA USO AGRÍCOLA A LA FECHA DE CIERRE, A MENOS QUE LA VIVIENDA AGRÍCOLA SEA UTILIZADA PRINCIPALMENTE PARA LA PRODUCCIÓN DE LECHE;~~

"(J) USTED NO TIENE QUE LIQUIDAR EL PRÉSTAMO ANTES DE LO ACORDADO ÚNICAMENTE PORQUE EL VALOR JUSTO DE MERCADO DE SU HOGAR DISMINUYA O PORQUE USTED NO CUMPLA CON OTRO PRÉSTAMO QUE NO ESTÁ GARANTIZADO POR SU HOGAR;

"(K) SÓLO UN PRÉSTAMO DESCRITO EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PUEDE SER GARANTIZADO CON SU HOGAR EN CUALQUIER MOMENTO DADO;

"(L) EL PRÉSTAMO DEBE ESTAR PROGRAMADO PARA SER LIQUIDADO EN PAGOS QUE SEAN IGUALES A O SUPEREN LA CANTIDAD DE INTERÉS ACUMULADO EN CADA PERÍODO DE PAGO;

"(M) EL PRÉSTAMO NO PUEDE CERRARSE ANTES DE LOS 12 DÍAS DESPUÉS DE QUE USTED PRESENTE UNA SOLICITUD DE PRÉSTAMO AL PRESTAMISTA O ANTES DE LOS 12 DÍAS DESPUÉS DE RECIBIR ESTA NOTIFICACIÓN, LO QUE OCURRA MÁS TARDE; Y NO PUEDE CERRARSE SIN SU CONSENTIMIENTO ANTES DE QUE TRANSCURRA UN DÍA HÁBIL DESPUÉS DE LA FECHA EN QUE

propietarios y cada uno de los cónyuges que inicialmente no lo habían hecho, den su consentimiento;

(7) una hipoteca inversa; o

(8) la conversión y el refinanciamiento de un gravamen de bienes muebles garantizado por una casa prefabricada a un gravamen de bienes inmuebles, incluido el refinanciamiento del precio de compra de la casa prefabricada, el costo de instalación de la casa prefabricada en el bien inmueble y el refinanciamiento del precio de compra del bien inmueble.

(f) El refinanciamiento de una deuda garantizada por la vivienda, de la cual cualquier parte es una extensión del crédito descrita en la Subsección (a)(6) de esta sección, no puede ser garantizada por un gravamen añadido sobre la vivienda a menos que ocurra uno de los siguientes:

(1) el refinanciamiento de la deuda sea una extensión del crédito descrita en la Subsección (a)(6) o (a)(7) de esta sección; o

(2) se cumplan todas las condiciones siguientes:

(A) el refinanciamiento no se cierra antes del primer aniversario de la fecha de cierre de la extensión del crédito;

(B) la extensión de crédito refinanciada no incluye el anticipo de cualquier fondo adicional distinto de:

(i) fondos anticipados para refinar una deuda descrita en las Subsecciones (a)(1) a (a)(7) de esta sección; o

(ii) los costos y reservas reales requeridos por el prestamista para refinar la deuda;

(C) el refinanciamiento de la extensión del crédito corresponde a un monto principal que, al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad, no supera el 80 por ciento del valor justo de mercado de la vivienda en la fecha en la que se realiza el refinanciamiento de la extensión de crédito; y

(D) el prestamista le proporciona al propietario el siguiente aviso escrito en un documento separado en un plazo no mayor del tercer día hábil posterior a la fecha en que el propietario le presenta la solicitud de préstamo al prestamista y al menos 12 días antes de la fecha en que se cierra el refinanciamiento de la extensión del crédito:

"EL PRÉSTAMO EXISTENTE QUE USTED DESEA REFINANCIAR ES UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. USTED PUEDE TENER LA OPCIÓN DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA YA SEA COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA O COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA. SI ASÍ SE LO OFRECE SU PRESTAMISTA.

"LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA POSEEN IMPORTANTES PROTECCIONES PARA EL CONSUMIDOR. UN PRESTAMISTA SÓLO PUEDE EJECUTAR UN PRÉSTAMO CON GARANTÍA HIPOTECARIA BASÁNDOSE EN UNA ORDEN DE UN TRIBUNAL. UN PRÉSTAMO CON GARANTÍA HIPOTECARIA NO DEBE TENER POSIBILIDAD DE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE.

"SI HA SOLICITADO REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, PERDERÁ CIERTAS PROTECCIONES AL CONSUMIDOR. UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA REFINANCIADO:

"(1) LE PERMITIRÁ AL PRESTAMISTA EJECUTARLO SIN UNA ORDEN DE UN TRIBUNAL;

"(2) TENDRÁ POSIBILIDAD DE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE; Y

"(3) TAMBIÉN PUEDE INCLUIR OTROS TÉRMINOS O CONDICIONES QUE PUEDEN NO ESTAR PERMITIDOS EN UN PRÉSTAMO TRADICIONAL CON GARANTÍA HIPOTECARIA.

"ANTES DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE PARA CONVERTIRLO EN UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, DEBE ASEGURARSE DE QUE ENTIENDE QUE ESTÁ RENUNCIANDO A IMPORTANTES PROTECCIONES QUE PROVEEN LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA CONFORME A LA LEY, Y DEBE CONSIDERAR CONSULTAR A UN ABOGADO QUE USTED PUEDE ENCONTRAR ACERCA DE ESAS PROTECCIONES.

"QUIZÁS DESEE PEDIRLE A SU PRESTAMISTA QUE REFINANCIE SU PRÉSTAMO COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. SIN EMBARGO, UN PRÉSTAMO CON GARANTÍA HIPOTECARIA PUEDE TENER UNA TASA DE INTERÉS Y COSTOS DE CIERRE MÁS ALTOS QUE UN

del crédito;

(vi) los documentos de garantía que garantizan la extensión del crédito contengan una cláusula de divulgación que establezca que la extensión del crédito es el tipo de crédito definido en la Subsección (a)(6) de esta sección [Sección 50(a)(6), Artículo XVI, de la Constitución de Texas];

(vii) dentro de un plazo razonable luego del vencimiento y del pago completo de la extensión del crédito, el prestamista cancele y devuelva el pagaré al propietario de la vivienda y le dé al propietario, en formato registrable, una liberación del gravamen que garantice la extensión del crédito o una copia del endoso y asignación del gravamen a un prestamista que esté refinanciando la extensión del crédito;

(viii) el propietario de la vivienda y cualquier cónyuge del propietario puedan, dentro de los tres días posteriores a la fecha en que se hace la extensión del crédito, rescindir la extensión sin penalización ni cargos;

(ix) el propietario de la vivienda y el prestamista firmen un reconocimiento escrito del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(x) a excepción de lo establecido en el Subpárrafo (xi) de este párrafo, el prestamista o cualquier titular de la nota de la extensión del crédito deben renunciar a todos los capitales e intereses de la extensión del crédito si el prestamista o titular no cumple sus obligaciones conforme a la extensión del crédito y no corrige su incumplimiento en un plazo no mayor de 60 días después de la fecha en que el prestamista o titular es notificado por el prestatario de su incumplimiento por:

(a) pagarle al propietario una cantidad equivalente a cualquier recargo pagado por el propietario conforme a la extensión del crédito o relacionado con ella, si el propietario pagó un monto que supera la cantidad estipulada en el párrafo aplicable (E), (G) u (O) de esta subdivisión;

(b) enviarle al propietario un reconocimiento escrito de que el gravamen es válido sólo en la cantidad en que la extensión del crédito no supere el porcentaje descrito en el Párrafo (B) de esta subdivisión, si corresponde, o no esté garantizado por una propiedad descrita por el Párrafo (H) ~~(a)-(f)~~ de esta subdivisión, si corresponde;

(c) enviarle al propietario un aviso escrito que transforma cualquier otra cantidad, porcentaje, término u otra disposición prohibidos en esta sección en una cantidad, porcentaje, término u otra disposición permitidos y modifica la cuenta del prestatario para garantizar que el prestatario no tenga que pagar más que una cantidad permitida en esta sección y no esté sujeto a cualquier otro término o disposición prohibidos en esta sección;

(d) llevarle los documentos requeridos al prestatario si el prestamista no cumple los términos del Subpárrafo (v) de este párrafo u obtener las firmas apropiadas si el prestamista no cumple los términos del Subpárrafo (ix) de este párrafo;

(e) enviarle al propietario un reconocimiento escrito, si el incumplimiento está prohibido en el Párrafo (K) de esta subdivisión, de que el interés acumulado y todas las obligaciones del propietario conforme a la extensión del crédito disminuyen mientras que cualquier gravamen anterior prohibido según lo establecido en el Párrafo (K) sigue estando garantizado por la vivienda; o

(f) si el incumplimiento no puede ser subsanado conforme a los Subpárrafos (x)(a)-(e) de este párrafo, subsanar el incumplimiento mediante un reintegro o un crédito de \$1,000 al propietario y ofrecerle al propietario el derecho a refinanciar la extensión del crédito con el prestamista o titular por el período restante del préstamo sin ningún costo para el propietario y bajo las mismas condiciones, incluyendo el interés, de la extensión del crédito original con las modificaciones que sean necesarias para cumplir los términos de esta sección o bajo las condiciones que el propietario y el prestamista o titular acuerden de otra forma y que cumplan los términos de esta sección; y

(xi) el prestamista o cualquier titular de la nota de la extensión del crédito debe renunciar a todos los capitales e intereses de la extensión del crédito si la extensión es hecha por una persona distinta a la persona descrita conforme al Párrafo (P) de esta subdivisión o si el gravamen no fue creado en virtud de un acuerdo escrito con el consentimiento de cada uno de los propietarios y los cónyuges de cada uno de los propietarios, a menos que cada uno de los

(j) del día 12 después de la fecha más posterior entre las siguientes:
la fecha en que el propietario de la vivienda le presenta una solicitud de préstamo al prestamista por la extensión del crédito o la fecha en que el prestamista le da al propietario una copia del aviso prescrito en la Subsección (g) de esta sección;

(k) de un día hábil después de la fecha en que el propietario de la vivienda recibe una copia de la solicitud de préstamo si no ha sido proporcionada anteriormente y una divulgación final detallada de las tasas, puntos, intereses, costos y cargos reales que serán cobrados en el cierre. Si existe una emergencia de buena fe u otra buena causa y el prestamista obtiene el consentimiento escrito del propietario, el prestamista puede proporcionarle la documentación al propietario o puede modificar la documentación proporcionada anteriormente en la fecha de cierre; y

(l) el primer aniversario de la fecha de cierre de cualquier otra extensión del crédito descrita en la Subsección (a)(6) de esta sección garantizada por la misma vivienda, excepto un refinanciamiento descrito en el Párrafo (Q)(x)(f) de esta subdivisión, a menos que el propietario requiera bajo juramento un cierre anterior debido a un estado de emergencia que:

(a) haya sido declarado por el presidente de los Estados Unidos o por el gobernador según lo establecido por la ley; y

(b) se aplique al área en la que está ubicada la vivienda;

(N) se cierra sólo en la oficina del prestamista, un abogado o una compañía de títulos de propiedad;

(O) permite que un prestamista contrate y reciba cualquier tasa de interés fija o variable autorizada de acuerdo con la ley;

(P) es realizada por uno de los siguientes establecimientos que, de acuerdo a una agencia regulatoria federal, no se ha visto involucrado en la práctica de negarse a hacer préstamos porque los solicitantes de los préstamos residen o la propiedad propuesta para garantizar los préstamos está ubicada en una cierta área:

(1) un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito que hace negocios conforme a las leyes de este estado o de los Estados Unidos, incluso la subsidiaria de un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito descritos en este subpárrafo;

(2) un organismo de préstamo autorizado por el gobierno federal o una persona autorizada como acreedor hipotecario por el gobierno de los Estados Unidos para hacer préstamos con garantía federal;

(3) una persona licenciada para hacer préstamos regulados, según lo establecido por la ley de este estado;

(4) una persona que vendió la vivienda al propietario actual y que proporcionó la totalidad o parte del financiamiento para la compra;

(5) una persona que es familiar del propietario de la residencia en segundo grado de afinidad o consanguinidad; o

(6) una persona regulada por este estado como [agente] entidad de préstamos hipotecarios o compañía de préstamos hipotecarios; y

(Q) se hace con la condición de que:

(i) el propietario de la vivienda no tenga que aplicar los ingresos de la extensión del crédito para liquidar otra deuda, excepto las deudas garantizadas por la vivienda o las deudas a otro prestamista;

(ii) el propietario de la vivienda no asigne salarios como garantía por la extensión del crédito;

(iii) el propietario de la vivienda no firme ningún documento en el que haya espacios vacíos para rellenar relacionados con términos sustanciales del acuerdo;

(iv) el propietario de la vivienda no firme una declaración jurada de admisión de deuda o poder notarial al prestamista o a un tercero para admitir su deuda o para aparecer por el propietario en un procedimiento judicial;

(v) en el momento en que se hace la extensión del crédito, el propietario de la vivienda debe recibir una copia de la solicitud final de préstamo y de todos los documentos formalizados firmados por el propietario en el cierre y relacionados con la extensión

sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y el propietario de la vivienda lo deje asentado por escrito; y

(D) el contrato por el trabajo y los materiales es formalizado por el propietario y el cónyuge del propietario sólo en la oficina de un prestamista externo que hace una extensión del crédito por el trabajo y los materiales, un abogado o una compañía de títulos de propiedad;

(6) una extensión del crédito que:

(A) está garantizada mediante un gravamen voluntario sobre la propiedad, creado conforme a un acuerdo escrito con el consentimiento de todos los propietarios y los cónyuges de todos los propietarios;

(B) es de un monto principal que al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad no supera el 80 por ciento del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(C) no tiene posibilidad recurrir a la responsabilidad personal contra cada propietario y el cónyuge de cada propietario, a menos que el propietario o su cónyuge hayan obtenido la extensión del crédito mediante un fraude;

(D) está garantizada por un gravamen que puede ser ejecutado sólo por una orden de un tribunal;

(E) no requiere que el propietario o el cónyuge del propietario pague, además de cualquier interés o puntos de descuento de buena fe utilizados para reducir la tasa de interés, cualquier tasa a cualquier persona que sea necesaria para crear, evaluar, mantener, registrar, garantizar o revisar la extensión del crédito que supere, en la suma total, el dos [tres] por ciento del monto principal original de la extensión del crédito, excepto tasas por:

(i) una valoración impositiva realizada por un tasador externo;

(ii) la agrimensura de la propiedad realizada por un agrimensor registrado o licenciado en el estado;

(iii) una prima de base estatal por una póliza de seguro de título para hipoteca con respaldos establecidos de acuerdo con las leyes del estado; o

(iv) un informe de evaluación de título, si su costo es menor que la prima de base estatal por una póliza de seguro de título para hipoteca sin respaldos establecidos de acuerdo con las leyes del estado;

(F) no es un tipo de línea de crédito abierta que puede ser debitada ocasionalmente o conforme a la cual el crédito puede ser extendido ocasionalmente, a menos que la línea de crédito abierta sea una línea de crédito con respaldo hipotecario;

(G) es pagadera por anticipado sin penalización ni otros cargos;

(H) no está garantizada por ninguna propiedad real o personal adicional distinto de la vivienda;

~~(I) derogada [no está garantizada por una vivienda que a la fecha de cierre sea designada para uso agrícola según lo establecido por las leyes que rigen el impuesto a la propiedad, a menos que tal vivienda sea utilizada principalmente para la producción de leche];~~

(J) no puede acelerarse por una disminución en el valor de mercado de la vivienda o por el incumplimiento del propietario con respecto a otras deudas no garantizadas por una carga válida anterior contra la vivienda;

(K) es la única deuda garantizada por la vivienda en el momento en que se hace la extensión del crédito, a menos que la otra deuda haya sido hecha por un propósito descrito en las Subsecciones (a)(1)-(a)(5) o la Subsección (a)(8) de esta sección;

(L) está programada para ser liquidada:

(i) en sucesivas cuotas regulares sustancialmente iguales, no más frecuentemente que cada 14 días y no menos frecuentemente que cada mes, empezando no más de dos meses después de la fecha en que se hace la extensión del crédito, cada una de las cuales equivale o supera la cantidad de interés acumulado desde la fecha de la cuota programada; o

(ii) si la extensión del crédito es una línea de crédito con respaldo hipotecario, en cuotas regulares descritas conforme a la Subsección (t)(8) de esta sección;

(M): no se cierra antes:

residencia para la cual se recibió la exención conforme a la Subsección (m) ((1)) de esta sección en el último año en que el cónyuge sobreviviente recibió la exención conforme a esa subsección para esa residencia, mientras el cónyuge sobreviviente no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 4. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "La enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de una parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas".

PROPUESTA NÚMERO 2 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 60

Se propone una enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para el anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 50, Artículo XVI, de la Constitución de Texas, se enmienda para modificar las Subsecciones (a), (f), (g) y (t) y añadir la Subsección (f-1) para leerse de la siguiente manera:

(a) La vivienda de una familia o una persona adulta soltera será y por la presente está protegida contra la venta forzosa para el pago de todas las deudas, con excepción de:

- (1) el precio de compra o una parte de ese precio de compra;
- (2) los impuestos que correspondan;
- (3) las sumas constitutivas pagadas por una parte a otra impuestas sobre la totalidad de la propiedad por una orden del tribunal o por un acuerdo escrito entre las partes de la división, incluida la deuda de un cónyuge a favor del otro que resulte de la división o la adjudicación de una residencia familiar en un juicio de divorcio;
- (4) el refinanciamiento de un gravamen sobre una vivienda, incluso el gravamen del impuesto federal que resulta de la deuda tributaria de ambos cónyuges, si la vivienda es una residencia familiar, o de la deuda tributaria del propietario;
- (5) el trabajo y los materiales utilizados para construir nuevas mejoras en la vivienda, si fueron contratados por escrito, o el trabajo y los materiales utilizados para reparar o renovar las mejoras existentes que hubiera si:

(A) el trabajo y los materiales son contratados por escrito con el consentimiento de ambos cónyuges en el caso de una residencia familiar, y proporcionados de la misma manera que se exige al hacer la venta y la transferencia de la vivienda;

(B) el contrato por el trabajo y los materiales no es formalizado por el propietario o por el cónyuge del propietario antes del quinto día después de que el propietario presenta una solicitud escrita para cualquier extensión del crédito por el trabajo y los materiales, a menos que el trabajo y los materiales sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y que el propietario de la vivienda lo deje asentado por escrito;

(C) el contrato por el trabajo y los materiales dispone expresamente que el propietario puede rescindir el contrato sin penalización ni cargos dentro de los tres días posteriores a la firma del contrato por todas las partes, a menos que el trabajo y los materiales

PROPUESTA NÚMERO 1 DEL ESTADO DE TEXAS H.J.R. Nº 21
RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de una parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 1-b (1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 24, 83ª Sesión Legislativa, Sesión Regular, 2013, se enmienda para leerse de la siguiente manera:

(1) La legislatura, por ley general, puede disponer que un veterano parcialmente discapacitado tiene derecho a recibir una exención del impuesto ad valorem en un porcentaje del valor de mercado de la residencia principal del veterano discapacitado que sea igual al porcentaje de discapacidad del veterano discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia principal, o incluso a ningún costo para el veterano discapacitado. La legislatura, por ley general, puede disponer requisitos de elegibilidad adicionales para recibir la exención. Para los propósitos de esta subsección, un "veterano parcialmente discapacitado" es un veterano discapacitado tal como se describe en la Sección 2(b) de este artículo, que posee un certificado que indica que tiene una clasificación de discapacidad de menos del 100 por ciento. Una limitación o restricción al derecho de un veterano discapacitado a recibir una exención conforme a la Sección 2(b) de este artículo, o al monto de una exención conforme a la Sección 2(b), no se aplica a las exenciones conforme a esta subsección.

SECCIÓN 2. La Sección 1-b (1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 62, 83ª Sesión Legislativa, Sesión Regular, 2013, es redesignada como Sección 1-b(m), Artículo VIII, de la Constitución de Texas, para leerse de la siguiente manera:

~~(m) [(1)]~~ La legislatura, por ley general, puede disponer que el cónyuge sobreviviente de un miembro de las fuerzas armadas de los Estados Unidos que resulte muerto en combate tenga derecho a recibir una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente mientras este no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 3. La Sección 1-b(m), Artículo VIII, de la Constitución de Texas, es redesignada como Sección 1-b(n), Artículo VIII, de la Constitución de Texas, y modificada para leerse de la siguiente manera:

~~(n) [(m)]~~ La legislatura, por ley general, puede disponer que un cónyuge sobreviviente, que califica para recibir y recibe una exención según lo establecido en la Subsección ~~(m) [(1)]~~ de esta sección y que posteriormente califica una propiedad distinta como su residencia principal, tiene derecho a recibir una exención del impuesto ad valorem de la residencia calificada posteriormente en un monto equivalente al valor en dólares de la exención del impuesto ad valorem de la primera

surviving spouse who qualifies for and receives an exemption in accordance with Subsection (c) of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (c) of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the first responder.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

(b) Sections -b(o) and (p), Article VIII, of this constitution take effect January 1, 2018, and apply only to a tax year beginning on or after that date.

(c) This temporary provision expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty."

STATE OF TEXAS PROPOSITION 7

H.J.R. No. 37

HOUSE JOINT RESOLUTION

proposing a constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47, Article III, Texas Constitution, is amended by adding Subsection (d-2) to read as follows:

(d-2) Subsection (a) of this section does not prohibit the legislature from authorizing credit unions and other financial institutions to conduct, under the terms and conditions imposed by general law, promotional activities to promote savings in which prizes are awarded to one or more of the credit union's or financial institution's depositors selected by lot.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings."

HOUSE JOINT RESOLUTION

proposing a constitutional amendment on professional sports team charitable foundations conducting charitable raffles.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47(d-1), Article III, Texas Constitution, is amended to read as follows:

(d-1) The legislature by general law may permit a professional sports team charitable foundation to conduct charitable raffles under the terms and conditions imposed by general law. The law may authorize the charitable foundation to pay with the raffle proceeds reasonable advertising, promotional, and administrative expenses. A law enacted under this subsection applies (may apply) only to an entity [that is] defined as a professional sports team charitable foundation under that law [on January 1, 2016,] and may only allow charitable raffles to be conducted at games hosted at the home venue of the professional sports team associated with a professional sports team charitable foundation. In this subsection, "professional sports team" means:

(1) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Basketball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association;

(2) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000;

(3) an organization hosting a Professional Golf Association event; or

(4) any other professional sports team defined by law.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment on professional sports team charitable foundations conducting charitable raffles."

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b, Article VIII, Texas Constitution, is amended by adding Subsections (o) and (p) to read as follows:

(o) The legislature by general law may provide that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the first responder. The legislature by general law may define "first responder" for purposes of this subsection and may prescribe additional eligibility requirements for the exemption authorized by this subsection.

(p) The legislature by general law may provide that a

office that is filled by appointment of the Governor with the advice and consent of the Senate and that is not an office for which the officer receives a salary, the period for which the officer shall continue to perform the duties of office under Subsection (a) of this section ends on the last day of the first regular session of the Legislature that begins after the expiration of the term.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment limiting the service of certain officeholder appointed by the governor and confirmed by the senate after the expiration of the person's term of office."

STATE OF TEXAS PROPOSITION 4

S.J.R. No. 6

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article V, Texas Constitution, is amended by adding Section 32 to read as follows:

Sec. 32. Notwithstanding Section 1, Article II, of this constitution, the legislature may:

(1) require a court in which a party to litigation files a petition, motion, or other pleading challenging the constitutionality of a statute of this state to provide notice to the attorney general of the challenge if the party raising the challenge notifies the court that the party is challenging the constitutionality of the statute; and

(2) prescribe a reasonable period, which may not exceed 45 days, after the provision of that notice during which the court may not enter a judgment holding the statute unconstitutional.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies with respect to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period, not to exceed 45 days, before the court may enter a judgment holding the statute unconstitutional.

(b) Section 402.010, Government Code, as added by Chapter 808 (H.B. 2425), Acts of the 82nd Legislature, Regular Session, 2011, Chapter 1162 (S.B. 392) and Chapter 1276 (H.B. 1435), Acts of the 83rd Legislature, Regular Session, 2013, is validated and effective on approval of the constitutional amendment described by Subsection (a) of this temporary provision and applies only to a petition, motion, or other pleading filed on or after January 1, 2018.

(c) This temporary provision expires January 2, 2018.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional."

homestead on the date the extension of credit is established, does not exceed an amount described under Subsection (a)(6)(B) of this section;

(6) ~~(repealed) [no additional debits or advances are made if the total principal amount outstanding exceeds an amount equal to 50 percent of the fair market value of the homestead as determined on the date the account is established];~~

(7) the lender or holder may not unilaterally amend the extension of credit; and

(8) repayment is to be made in regular periodic installments, not more often than every 14 days and not less often than monthly, beginning not later than two months from the date the extension of credit is established, and:

(A) during the period during which the owner may request advances, each installment equals or exceeds the amount of accrued interest; and

(B) after the period during which the owner may request advances, installments are substantially equal.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

(b) The constitutional amendment takes effect January 1, 2018.

(c) The changes in law made by the constitutional amendment apply only to a home equity loan made on or after the effective date of the constitutional amendment and to an existing home equity loan that is refinanced on or after the effective date of the constitutional amendment.

(d) This temporary provision takes effect on the adoption of the constitutional amendment by the voters and expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads."

STATE OF TEXAS PROPOSITION 3

S.J.R. No. 34

SENATE JOINT RESOLUTION

proposing a constitutional amendment limiting the service of certain officeholders after the expiration of the person's term of office.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 17, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 17. (a) Except as provided by Subsection (b) of this section, all [All] officers of [within] this State shall continue to perform the duties of their offices until their successors shall be duly qualified.

(b) Following the expiration of a term of an appointive

BLANKS FOR SUBSTANTIVE TERMS OF AGREEMENT LEFT TO BE FILLED IN;

"(4) NOT REQUIRE THAT YOU SIGN A CONFESSION OF JUDGMENT OR POWER OF ATTORNEY TO ANOTHER PERSON TO CONFESS JUDGMENT OR APPEAR IN A LEGAL PROCEEDING ON YOUR BEHALF;

"(5) PROVIDE THAT YOU RECEIVE A COPY OF YOUR FINAL LOAN APPLICATION AND ALL EXECUTED DOCUMENTS YOU SIGN AT CLOSING;

"(6) PROVIDE THAT THE SECURITY INSTRUMENTS CONTAIN A DISCLOSURE THAT THIS LOAN IS A LOAN DEFINED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION;

"(7) PROVIDE THAT WHEN THE LOAN IS PAID IN FULL, THE LENDER WILL SIGN AND GIVE YOU A RELEASE OF LIEN OR AN ASSIGNMENT OF THE LIEN, WHICHEVER IS APPROPRIATE;

"(8) PROVIDE THAT YOU MAY, WITHIN 3 DAYS AFTER CLOSING, RESCIND THE LOAN WITHOUT PENALTY OR CHARGE;

"(9) PROVIDE THAT YOU AND THE LENDER ACKNOWLEDGE THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LOAN CLOSSES; AND

"(10) PROVIDE THAT THE LENDER WILL FORFEIT ALL PRINCIPAL AND INTEREST IF THE LENDER FAILS TO COMPLY WITH THE LENDER'S OBLIGATIONS UNLESS THE LENDER CURES THE FAILURE TO COMPLY AS PROVIDED BY SECTION 50(a)(6)(Q)(x), ARTICLE XVI, OF THE TEXAS CONSTITUTION; AND

"(R) IF THE LOAN IS A HOME EQUITY LINE OF CREDIT:

"(1) YOU MAY REQUEST ADVANCES, REPAY MONEY, AND REBORROW MONEY UNDER THE LINE OF CREDIT;

"(2) EACH ADVANCE UNDER THE LINE OF CREDIT MUST BE IN AN AMOUNT OF AT LEAST \$4,000;

"(3) YOU MAY NOT USE A CREDIT CARD, DEBIT CARD, OR SIMILAR DEVICE, OR PREPRINTED CHECK THAT YOU DID NOT SOLICIT, TO OBTAIN ADVANCES UNDER THE LINE OF CREDIT;

"(4) ANY FEES THE LENDER CHARGES MAY BE CHARGED AND COLLECTED ONLY AT THE TIME THE LINE OF CREDIT IS ESTABLISHED AND THE LENDER MAY NOT CHARGE A FEE IN CONNECTION WITH ANY ADVANCE;

"(5) THE MAXIMUM PRINCIPAL AMOUNT THAT MAY BE EXTENDED, WHEN ADDED TO ALL OTHER DEBTS SECURED BY YOUR HOME, MAY NOT EXCEED 80 PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LINE OF CREDIT IS ESTABLISHED;

"(6) IF THE PRINCIPAL BALANCE UNDER THE LINE OF CREDIT AT ANY TIME EXCEEDS 80 [50] PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME, AS DETERMINED ON THE DATE THE LINE OF CREDIT IS ESTABLISHED, YOU MAY NOT CONTINUE TO REQUEST ADVANCES UNDER THE LINE OF CREDIT UNTIL THE BALANCE IS LESS THAN 80 [50] PERCENT OF THE FAIR MARKET VALUE; AND

"(7) THE LENDER MAY NOT UNILATERALLY AMEND THE TERMS OF THE LINE OF CREDIT.

"THIS NOTICE IS ONLY A SUMMARY OF YOUR RIGHTS UNDER THE TEXAS CONSTITUTION. YOUR RIGHTS ARE GOVERNED BY SECTION 50, ARTICLE XVI, OF THE TEXAS CONSTITUTION, AND NOT BY THIS NOTICE."

If the discussions with the borrower are conducted primarily in a language other than English, the lender shall, before closing, provide an additional copy of the notice translated into the written language in which the discussions were conducted.

(t) A home equity line of credit is a form of an open-end account that may be debited from time to time, under which credit may be extended from time to time and under which:

(1) the owner requests advances, repays money, and reborrows money;

(2) any single debit or advance is not less than \$4,000;

(3) the owner does not use a credit card, debit card, or similar device, or preprinted check unsolicited by the borrower, to obtain an advance;

(4) any fees described by Subsection (a)(6)(E) of this section are charged and collected only at the time the extension of credit is established and no fee is charged or collected in connection with any debit or advance;

(5) the maximum principal amount that may be extended under the account, when added to the aggregate total of the outstanding principal balances of all indebtedness secured by the

ALLOWS CERTAIN LOANS TO BE SECURED AGAINST THE EQUITY IN YOUR HOME.
SUCH LOANS ARE COMMONLY KNOWN AS EQUITY LOANS. IF YOU DO NOT
REPAY THE LOAN OR IF YOU FAIL TO MEET THE TERMS OF THE LOAN, THE
LENDER MAY FORECLOSE AND SELL YOUR HOME. THE CONSTITUTION PROVIDES
THAT:

"(A) THE LOAN MUST BE VOLUNTARILY CREATED WITH THE CONSENT OF
EACH OWNER OF YOUR HOME AND EACH OWNER'S SPOUSE;

"(B) THE PRINCIPAL LOAN AMOUNT AT THE TIME THE LOAN IS MADE
MUST NOT EXCEED AN AMOUNT THAT, WHEN ADDED TO THE PRINCIPAL
BALANCES OF ALL OTHER LIENS AGAINST YOUR HOME, IS MORE THAN 80
PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME;

"(C) THE LOAN MUST BE WITHOUT RECOURSE FOR PERSONAL LIABILITY
AGAINST YOU AND YOUR SPOUSE UNLESS YOU OR YOUR SPOUSE OBTAINED THIS
EXTENSION OF CREDIT BY ACTUAL FRAUD;

"(D) THE LIEN SECURING THE LOAN MAY BE FORECLOSED UPON ONLY
WITH A COURT ORDER;

"(E) FEES AND CHARGES TO MAKE THE LOAN MAY NOT EXCEED 2 (2)
PERCENT OF THE LOAN AMOUNT, EXCEPT FOR A FEE OR CHARGE FOR AN
APPRAISAL PERFORMED BY A THIRD PARTY APPRAISER, A PROPERTY SURVEY
PERFORMED BY A STATE REGISTERED OR LICENSED SURVEYOR, A STATE BASE
PREMIUM FOR A MORTGAGEE POLICY OF TITLE INSURANCE WITH
ENDORSEMENTS, OR A TITLE EXAMINATION REPORT;

"(F) THE LOAN MAY NOT BE AN OPEN-END ACCOUNT THAT MAY BE
DEBITED FROM TIME TO TIME OR UNDER WHICH CREDIT MAY BE EXTENDED
FROM TIME TO TIME UNLESS IT IS A HOME EQUITY LINE OF CREDIT;

"(G) YOU MAY PREPAY THE LOAN WITHOUT PENALTY OR CHARGE;

"(H) NO ADDITIONAL COLLATERAL MAY BE SECURITY FOR THE LOAN;

"(I) ~~(repealed) [THE LOAN MAY NOT BE SECURED BY HOMESTEAD
PROPERTY THAT IS DESIGNATED FOR AGRICULTURAL USE AS OF THE DATE OF
CLOSING, UNLESS THE AGRICULTURAL HOMESTEAD PROPERTY IS USED
PRIMARILY FOR THE PRODUCTION OF MILK];~~

"(J) YOU ARE NOT REQUIRED TO REPAY THE LOAN EARLIER THAN
AGREED SOLELY BECAUSE THE FAIR MARKET VALUE OF YOUR HOME DECREASES
OR BECAUSE YOU DEFAULT ON ANOTHER LOAN THAT IS NOT SECURED BY YOUR
HOME;

"(K) ONLY ONE LOAN DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI,
OF THE TEXAS CONSTITUTION MAY BE SECURED WITH YOUR HOME AT ANY
GIVEN TIME;

"(L) THE LOAN MUST BE SCHEDULED TO BE REPAYED IN PAYMENTS THAT
EQUAL OR EXCEED THE AMOUNT OF ACCRUED INTEREST FOR EACH PAYMENT
PERIOD;

"(M) THE LOAN MAY NOT CLOSE BEFORE 12 DAYS AFTER YOU SUBMIT A
LOAN APPLICATION TO THE LENDER OR BEFORE 12 DAYS AFTER YOU RECEIVE
THIS NOTICE, WHICHEVER DATE IS LATER; AND MAY NOT WITHOUT YOUR
CONSENT CLOSE BEFORE ONE BUSINESS DAY AFTER THE DATE ON WHICH YOU
RECEIVE A COPY OF YOUR LOAN APPLICATION IF NOT PREVIOUSLY PROVIDED
AND A FINAL ITEMIZED DISCLOSURE OF THE ACTUAL FEES, POINTS,
INTEREST, COSTS, AND CHARGES THAT WILL BE CHARGED AT CLOSING; AND
IF YOUR HOME WAS SECURITY FOR THE SAME TYPE OF LOAN WITHIN THE PAST
YEAR, A NEW LOAN SECURED BY THE SAME PROPERTY MAY NOT CLOSE BEFORE
ONE YEAR HAS PASSED FROM THE CLOSING DATE OF THE OTHER LOAN, UNLESS
ON OATH YOU REQUEST AN EARLIER CLOSING DUE TO A DECLARED STATE OF
EMERGENCY;

"(N) THE LOAN MAY CLOSE ONLY AT THE OFFICE OF THE LENDER,
TITLE COMPANY, OR AN ATTORNEY AT LAW;

"(O) THE LENDER MAY CHARGE ANY FIXED OR VARIABLE RATE OF
INTEREST AUTHORIZED BY STATUTE;

"(P) ONLY A LAWFULLY AUTHORIZED LENDER MAY MAKE LOANS
DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS
CONSTITUTION;

"(Q) LOANS DESCRIBED BY SECTION 50(a)(6), ARTICLE XVI, OF THE
TEXAS CONSTITUTION MUST:

"(1) NOT REQUIRE YOU TO APPLY THE PROCEEDS TO ANOTHER DEBT
EXCEPT A DEBT THAT IS SECURED BY YOUR HOME OR OWED TO ANOTHER
LENDER;

"(2) NOT REQUIRE THAT YOU ASSIGN WAGES AS SECURITY;

"(3) NOT REQUIRE THAT YOU EXECUTE INSTRUMENTS WHICH HAVE

property.

(f) A refinance of debt secured by the homestead, any portion of which is an extension of credit described by Subsection (a)(6) of this section, may not be secured by a valid lien against the homestead unless either:

(1) the refinance of the debt is an extension of credit described by Subsection (a)(6) or (a)(7) of this section; or

(2) all of the following conditions are met:

(A) the refinance is not closed before the first anniversary of the date the extension of credit was closed;

(B) the refinanced extension of credit does not include the advance of any additional funds other than:

(i) funds advanced to refinance a debt described by Subsections (a)(1) through (a)(7) of this section; or

(ii) actual costs and reserves required by the lender to refinance the debt;

(C) the refinance of the extension of credit is of at least the same principal amount as the extension of credit at when added to the aggregate total of the balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of the homestead on the date the refinance of the extension of credit is made; and

(D) the lender provides the owner the following written notice on a separate document not later than the third business day after the date the owner submits the loan application to the lender and at least 12 days before the date the refinance of the extension of credit is closed:

"YOUR EXISTING HOME EQUITY LOAN THAT YOU DESIRE TO REFINANCE IS A HOME EQUITY LOAN. YOU MAY HAVE THE OPTION TO REFINANCE YOUR HOME EQUITY LOAN AS EITHER A HOME EQUITY LOAN OR AS A NON-HOME EQUITY LOAN, IF OFFERED BY YOUR LENDER.

"HOME EQUITY LOANS HAVE IMPORTANT CONSUMER PROTECTIONS. A LENDER MAY ONLY FORECLOSE A HOME EQUITY LOAN BASED ON A COURT ORDER. A HOME EQUITY LOAN MUST BE WITHOUT RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE.

"IF YOU HAVE APPLIED TO REFINANCE YOUR EXISTING HOME EQUITY LOAN AS A NON-HOME EQUITY LOAN, YOU WILL LOSE CERTAIN CONSUMER PROTECTIONS. A NON-HOME EQUITY REFINANCED LOAN:

"(1) WILL PERMIT THE LENDER TO FORECLOSE WITHOUT A COURT ORDER;

"(2) WILL BE WITH RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE; AND

"(3) MAY ALSO CONTAIN OTHER TERMS OR CONDITIONS THAT MAY NOT BE PERMITTED IN A TRADITIONAL HOME EQUITY LOAN.

"BEFORE YOU REFINANCE YOUR EXISTING HOME EQUITY LOAN TO MAKE IT A NON-HOME EQUITY LOAN, YOU SHOULD MAKE SURE YOU UNDERSTAND THAT YOU ARE WAIVING IMPORTANT PROTECTIONS THAT HOME EQUITY LOANS PROVIDE UNDER THE LAW AND SHOULD CONSIDER CONSULTING WITH AN ATTORNEY OF YOUR CHOICE REGARDING THESE PROTECTIONS.

"YOU MAY WISH TO ASK YOUR LENDER TO REFINANCE YOUR LOAN AS A HOME EQUITY LOAN. HOWEVER, A HOME EQUITY LOAN MAY HAVE A HIGHER INTEREST RATE AND CLOSING COSTS THAN A NON-HOME EQUITY LOAN."

(f-1) A lien securing a refinance of debt under Subsection (f)(2) of this section is deemed to be a lien described by Subsection (a)(4) of this section. An affidavit executed by the owner or the owner's spouse acknowledging that the requirements of this section have been met conclusively establishes that the requirements of Subsection (a)(4) of this section have been met.

(g) An extension of credit described by Subsection (a)(6) of this section may be secured by a valid lien against homestead property if the extension of credit is not closed before the 12th day after the lender provides the owner with the following written notice on a separate instrument:

"NOTICE CONCERNING EXTENSIONS OF CREDIT DEFINED BY SECTION 50(a)(6), ARTICLE XV, TEXAS CONSTITUTION:

"SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION

extension of credit;

(viii) the owner of the homestead and any spouse of the owner may, within three days after the extension of credit is made, rescind the extension of credit without penalty or charge;

(ix) the owner of the homestead and the lender sign a written acknowledgment as to the fair market value of the homestead property on the date the extension of credit is made;

(x) except as provided by Subparagraph (xi) of this paragraph, the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the lender or holder fails to comply with the lender's or holder's obligations under the extension of credit and fails to correct the failure to comply not later than the 60th day after the date the lender or holder is notified by the borrower of the lender's failure to comply by:

(a) paying to the owner an amount equal to any overcharge paid by the owner under or related to the extension of credit if the owner has paid an amount that exceeds an amount stated in the applicable Paragraph (E), (G), or (O) of this subdivision;

(b) sending the owner a written acknowledgement that the lien is valid only in the amount that the extension of credit does not exceed the percentage described by Paragraph (B) of this subdivision, if applicable, or is not secured by property described under Paragraph (H) ~~{or (I)}~~ of this subdivision, if applicable;

(c) sending the owner a written notice modifying any other amount, percentage, term, or other provision prohibited by this section to a permitted amount, percentage, term, or other provision and adjusting the account of the borrower to ensure that the borrower is not required to pay more than an amount permitted by this section and is not subject to any other term or provision prohibited by this section;

(d) delivering the required documents to the borrower if the lender fails to comply with Subparagraph (v) of this paragraph or obtaining the appropriate signatures if the lender fails to comply with Subparagraph (ix) of this paragraph;

(e) sending the owner a written acknowledgement, if the failure to comply is prohibited by Paragraph (K) of this subdivision, that the accrual of interest and all of the owner's obligations under the extension of credit are abated while any prior lien prohibited under Paragraph (K) remains secured by the homestead; or

(f) if the failure to comply cannot be cured under Subparagraphs (x)(a)-(e) of this paragraph, curing the failure to comply by a refund or credit to the owner of \$1,000 and offering the owner the right to refinance the extension of credit with the lender or holder for the remaining term of the loan at no cost to the owner on the same terms, including interest, as the original extension of credit with any modifications necessary to comply with this section or on terms on which the owner and the lender or holder otherwise agree that comply with this section; and

(xi) the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the extension of credit is made by a person other than a person described under Paragraph (P) of this subdivision or if the lien was not created under a written agreement with the consent of each owner and each owner's spouse, unless each owner and each owner's spouse who did not initially consent subsequently consents;

(7) a reverse mortgage; or

(8) the conversion and refinancing of a personal property lien secured by a manufactured home to a lien on real property, including the refinancing of the purchase price of the manufactured home, the cost of installing the manufactured home on the real property, and the refinancing of the purchase price of the real

modify previously provided documentation on the date of closing;
and

(iii) the first anniversary of the closing date of any other extension of credit described by Subsection (a)(6) of this section secured by the same homestead property, except a refinance described by Paragraph (Q)(x)(f) of this subdivision, unless the owner on oath requests an earlier closing due to a state of emergency that:

(a) has been declared by the president of the United States or the governor as provided by law; and

(b) applies to the area where the homestead is located;

(N) is closed only at the office of the lender, an attorney at law, or a title company;

(O) permits a lender to contract for and receive any fixed or variable rate of interest authorized under statute;

(P) is made by one of the following that has not been found by a federal regulatory agency to have engaged in the practice of refusing to make loans because the applicants for the loans reside on the property proposed to secure the loans is located in a certain area:

(i) a bank, savings and loan association, savings bank, or credit union doing business under the laws of this state or the United States, including a subsidiary of a bank, savings and loan association, savings bank, or credit union described by this subparagraph;

(ii) a federally chartered lending instrumentality or a person approved as a mortgagee by the United States government to make federally insured loans;

(iii) a person licensed to make regulated loans, as provided by statute of this state;

(iv) a person who sold the homestead property to the current owner and who provided all or part of the financing for the purchase;

(v) a person who is related to the homestead property owner within the second degree of affinity or consanguinity; or

(vi) a person regulated by this state as a mortgage banker or mortgage company ~~(broker)~~; and

(Q) is made on the condition that:

(i) the owner of the homestead is not required to apply the proceeds of the extension of credit to repay another debt except debt secured by the homestead or debt to another lender;

(ii) the owner of the homestead not assign wages as security for the extension of credit;

(iii) the owner of the homestead not sign any instrument in which blanks relating to substantive terms of agreement are left to be filled in;

(iv) the owner of the homestead not sign a confession of judgment or power of attorney to the lender or to a third person to confess judgment or to appear for the owner in a judicial proceeding;

(v) at the time the extension of credit is made, the owner of the homestead shall receive a copy of the final loan application and all executed documents signed by the owner at closing related to the extension of credit;

(vi) the security instruments securing the extension of credit contain a disclosure that the extension of credit is the type of credit defined by Subsection (a)(6) of this section ~~(Section 504.06, Article XVI, Texas Constitution);~~

(vii) within a reasonable time after termination and full payment of the extension of credit, the lender cancel and return the promissory note to the owner of the homestead and give the owner, in recordable form, a release of the lien securing the extension of credit or a copy of an endorsement and assignment of the lien to a lender that is refinancing the

the homestead on the date the extension of credit is made;

(C) is without recourse for personal liability against each owner and the spouse of each owner, unless the owner or spouse obtained the extension of credit by actual fraud;

(D) is secured by a lien that may be foreclosed upon only by a court order;

(E) does not require the owner or the owner's spouse to pay, in addition to any interest or any bona fide discount points used to buy down the interest rate, any fees to any person that are necessary to originate, evaluate, maintain, record, insure, or service the extension of credit that exceed, in the aggregate, two [three] percent of the original principal amount of the extension of credit, excluding fees for:

(i) an appraisal performed by a third party appraiser;

(ii) a property survey performed by a state registered or licensed surveyor;

(iii) a state base premium for a mortgagee policy of title insurance with endorsements established in accordance with state law; or

(iv) a title examination report if its cost is less than the state base premium for a mortgagee policy of title insurance without endorsements established in accordance with state law;

(F) is not a form of open-end account that may be debited from time to time or under which credit may be extended from time to time unless the open-end account is a home equity line of credit;

(G) is payable in advance without penalty or other charge;

(H) is not secured by any additional real or personal property other than the homestead;

(I) ~~(repealed) [is not secured by homestead property that on the date of closing is designated for agricultural use as provided by statutes governing property tax, unless such homestead property is used primarily for the production of milk];~~

(J) may not be accelerated because of a decrease in the market value of the homestead or because of the owner's default under other indebtedness not secured by a prior valid encumbrance against the homestead;

(K) is the only debt secured by the homestead at the time the extension of credit is made unless the other debt was made for a purpose described by Subsections (a)(1)-(a)(5) or Subsection (a)(8) of this section;

(L) is scheduled to be repaid:

(i) in substantially equal successive periodic installments, not more often than every 14 days and not less often than monthly, beginning no later than two months from the date the extension of credit is made, each of which equals or exceeds the amount of accrued interest as of the date of the scheduled installment; or

(ii) if the extension of credit is a home equity line of credit, in periodic payments described under Subsection (t)(8) of this section;

(M) is closed not before:

(i) the 12th day after the later of the date that the owner of the homestead submits a loan application to the lender for the extension of credit or the date that the lender provides the owner a copy of the notice prescribed by Subsection (g) of this section;

(ii) one business day after the date that the owner of the homestead receives a copy of the loan application if not previously provided and a final itemized disclosure of the actual fees, points, interest, costs, and charges that will be charged at closing. If a bona fide emergency or another good cause exists and the lender obtains the written consent of the owner, the lender may provide the documentation to the owner or the lender may

provisions of the Texas Constitution."

STATE OF TEXAS PROPOSITION 2
SENATE JOINT RESOLUTION

S.J.R. No. 60

proposing a constitutional amendment establishing a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 50, Article XVI, Texas Constitution, is amended by amending subsections (a), (f), (g), and (t) and adding Subsection (f-1) to read as follows:

(a) The homestead of a family, or of a single adult person, shall be, and is hereby protected from forced sale, for the payment of all debts except for:

(1) the purchase money thereof, or a part of such purchase money;

(2) the taxes due thereon;

(3) an equity of partition imposed against the entirety of the property by a court order or by a written agreement of the parties to the partition, including a debt of one spouse in favor of the other spouse resulting from a division or an award of a family homestead in a divorce proceeding;

(4) the refinancing of a lien against a homestead, including a federal tax lien resulting from the tax debt of both spouses, if the homestead is a family homestead, or from the tax debt of the owner;

(5) work and material used in constructing new improvements thereon if contracted for in writing, or work and material used to repair or renovate existing improvements thereon if:

(A) the work and material are contracted for in writing, with the consent of both spouses, in the case of a family homestead, given in the same manner as is required in making a sale and conveyance of the homestead;

(B) the contract for the work and material is not executed by the owner or the owner's spouse before the fifth day after the owner makes written application for any extension of credit for the work and material, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing;

(C) the contract for the work and material expressly provides that the owner may rescind the contract without penalty or charge within three days after the execution of the contract by all parties, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing; and

(D) the contract for the work and material is executed by the owner and the owner's spouse only at the office of a third-party lender making an extension of credit for the work and material, an attorney at law, or a title company;

(6) an extension of credit that:

(A) is secured by a voluntary lien on the homestead created under a written agreement with the consent of each owner and each owner's spouse;

(B) is of a principal amount that when added to the aggregate total of the outstanding principal balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.J.R. 24, 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(1) The legislature by general law may provide that a partially disabled veteran is entitled to an exemption from ad valorem taxation of a percentage of the market value of the disabled veteran's residence homestead that is equal to the percentage of disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead, including at no cost to the disabled veteran. The legislature by general law may provide additional eligibility requirements for the exemption. For purposes of this subsection, "partially disabled veteran" means a disabled veteran as described by Section 2(b) of this article who is certified as having a disability rating of less than 100 percent. A limitation or restriction on a disabled veteran's entitlement to an exemption under Section 2(b) of this article, or on the amount of an exemption under Section 2(b), does not apply to an exemption under this subsection.

SECTION 2. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.J.R. 62, 83rd Legislature, Regular Session, 2013, is redesignated as Section 1-b(m), Article VIII, Texas Constitution, to read as follows:

(m) ~~[(1)]~~ The legislature by general law may provide that the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 3. Section 1-b(m), Article VIII, Texas Constitution, is redesignated as Section 1-b(n), Article VIII, Texas Constitution, and amended to read as follows:

(n) ~~[(m)]~~ The legislature by general law may provide that a surviving spouse who qualifies for and receives an exemption in accordance with Subsection (m) ~~[(1)]~~ of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (m) ~~[(1)]~~ of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related

Alexy Rios

From: Louri O'Leary <LO'Leary@sos.texas.gov>
Sent: Tuesday, September 12, 2017 5:32 PM
To: Louri O'Leary
Subject: MASS E-Mail Advisory (CC/EA 655) Constitutional Amendments Full Text CORRECTED Version UPDATED
Attachments: UPDATED Spanish Constitutional Amendments 9.12.17.pdf; Full Text Cover on Letterhead.docx; UPDATED 9.12.17 Full Text Constitutional Amendments Memo.pdf; Constitutional Amendments English.pdf

Dear County Clerks,

I apologize for any inconvenience, but please see an updated document containing Spanish translations of the full text of the proposed constitutional amendments to be voted on November 7, 2017. This document substitutes out for the document in Spanish you received yesterday.

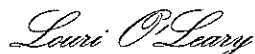
In addition, please see an updated Full Text of Constitutional Amendments memo, reflecting that the October 8, 2017 posting deadline is a Sunday, not a Monday. This document substitutes out for the memo you received yesterday. For ease of reference, we have also attached the cover page and the English full text of the proposed constitutional amendments to be voted on November 7, 2017 you received yesterday.

Article XVII, Section 1, Texas Constitution requires the County Clerk to post the full text of the proposed amendments in a public place in the courthouse at least 30 days prior to the November 7, 2017 constitutional amendment election, which is Sunday, October 8, 2017.

Also the November 7, 2017 Constitutional Amendment Election information can be located here:
<http://www.sos.state.tx.us/elections/index.shtml>

If you have any questions concerning the documents or need any assistance, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

Thank you,
Louri O'Leary



Office of the Texas Secretary of State
Elections Division ♦ Elections Administration Manager
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252. 8683 ♦ www.sos.state.tx.us/elections
D: 512.463.3204 ♦ F: 512.475.2811

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: County Clerks

FROM: Keith Ingram, Director of Elections 

DATE: September 11, 2017

RE: Full Text of Constitutional Amendments

Enclosed is the full text, with Spanish translations of the proposed constitutional amendments to be voted on November 7, 2017.

Article XVII, Section 1, Texas Constitution requires the County Clerk to post the full text of the proposed amendments in a public place in the courthouse at least 30 days prior to the November 7, 2017 constitutional amendment election, which is Monday, October 8, 2017.

You may post the enclosed notice any time after you receive this, **but no later than October 8, 2017.**

Since this is a constitutional requirement, the responsibility to post this notice is **not** shifted to the Elections Administrator in counties that have an Election Administrator nor is the deadline extended.

If you have any questions concerning the enclosed materials or need any assistance, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

KI: LO

Attachments

cc: Elections Administrators

PROPUESTA NÚMERO 1 DEL ESTADO DE TEXAS

H.J.R. Nº 21

RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de una parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 1-b (1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 24, 83ª Sesión Legislativa, Sesión Regular, 2013, se enmienda para leerse de la siguiente manera:

(1) La legislatura, por ley general, puede disponer que un veterano parcialmente discapacitado tiene derecho a recibir una exención del impuesto ad valorem en un porcentaje del valor de mercado de la residencia principal del veterano discapacitado que sea igual al porcentaje de discapacidad del veterano discapacitado, si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia principal, o incluso a ningún costo para el veterano discapacitado. La legislatura, por ley general, puede disponer requisitos de elegibilidad adicionales para recibir la exención. Para los propósitos de esta subsección, un “veterano parcialmente discapacitado” es un veterano discapacitado tal como se describe en la Sección 2(b) de este artículo, que posee un certificado que indica que tiene una clasificación de discapacidad de menos del 100 por ciento. Una limitación o restricción al derecho de un veterano discapacitado a recibir una exención conforme a la Sección 2(b) de este artículo, o al monto de una exención conforme a la Sección 2(b), no se aplica a las exenciones conforme a esta subsección.

SECCIÓN 2. La Sección 1-b (1), Artículo VIII, de la Constitución de Texas, tal como propone la H.J.R. 62, 83ª Sesión Legislativa, Sesión Regular, 2013, es redesignada como Sección 1-b(m), Artículo VIII, de la Constitución de Texas, para leerse de la siguiente manera:

(m) ~~[(4)]~~ La legislatura, por ley general, puede disponer que el cónyuge sobreviviente de un miembro de las fuerzas armadas de los Estados Unidos que resulte muerto en combate tenga derecho a recibir una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente mientras este no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 3. La Sección 1-b(m), Artículo VIII, de la Constitución de Texas, es redesignada como Sección 1-b(n), Artículo VIII, de la Constitución de Texas, y modificada para leerse de la siguiente manera:

(n) ~~[(m)]~~ La legislatura, por ley general, puede disponer que un cónyuge sobreviviente, que califica para recibir y recibe una exención según lo establecido en la Subsección (m) ~~[(4)]~~ de esta sección y que posteriormente califica una propiedad distinta como su residencia principal, tiene derecho a recibir una exención del impuesto ad valorem de la residencia calificada posteriormente en un monto equivalente al valor en dólares de la exención del impuesto ad valorem de la primera

residencia para la cual se recibió la exención conforme a la Subsección (m) [(4)] de esta sección en el último año en que el cónyuge sobreviviente recibió la exención conforme a esa subsección para esa residencia, mientras el cónyuge sobreviviente no se haya vuelto a casar desde la muerte del miembro de las fuerzas armadas.

SECCIÓN 4. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "Enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de parte del valor de mercado de la residencia principal de un veterano parcialmente discapacitado o del cónyuge sobreviviente de un veterano parcialmente discapacitado si la residencia principal fue donada al veterano discapacitado por una organización benéfica por menos del valor de mercado de la residencia y que armoniza ciertas disposiciones relacionadas de la Constitución de Texas".

PROPUESTA NÚMERO 2 DEL ESTADO DE TEXAS

S.J.R. Nº 60

RESOLUCIÓN CONJUNTA DEL SENADO

Se propone una enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para el anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 50, Artículo XVI, de la Constitución de Texas, se enmienda para modificar las Subsecciones (a), (f), (g) y (t) y añadir la Subsección (f-1) para leerse de la siguiente manera:

(a) La vivienda de una familia o una persona adulta soltera será y por la presente está protegida contra la venta forzosa para el pago de todas las deudas, con excepción de:

(1) el precio de compra o una parte de ese precio de compra;

(2) los impuestos que correspondan;

(3) las sumas equitativas pagadas por una parte a otra impuestas sobre la totalidad de la propiedad por una orden del tribunal o por un acuerdo escrito entre las partes de la división, incluida la deuda de un cónyuge a favor del otro que resulte de la división o la adjudicación de una residencia familiar en un juicio de divorcio;

(4) el refinanciamiento de un gravamen sobre una vivienda, incluso el gravamen del impuesto federal que resulta de la deuda tributaria de ambos cónyuges, si la vivienda es una residencia familiar, o de la deuda tributaria del propietario;

(5) el trabajo y los materiales utilizados para construir nuevas mejoras en la vivienda, si fueron contratados por escrito, o el trabajo y los materiales utilizados para reparar o renovar las mejoras existentes que hubiera si:

(A) el trabajo y los materiales son contratados por escrito con el consentimiento de ambos cónyuges en el caso de una residencia familiar, y proporcionados de la misma manera que se exige al hacer la venta y la transferencia de la vivienda;

(B) el contrato por el trabajo y los materiales no es formalizado por el propietario o por el cónyuge del propietario antes del quinto día después de que el propietario presenta una solicitud escrita para cualquier extensión del crédito por el trabajo y los materiales, a menos que el trabajo y los materiales sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y que el propietario de la vivienda lo deje asentado por escrito;

(C) el contrato por el trabajo y los materiales dispone expresamente que el propietario puede rescindir el contrato sin penalización ni cargos dentro de los tres días

posteriores a la firma del contrato por todas las partes, a menos que el trabajo y los materiales sean necesarios para realizar reparaciones inmediatas a las condiciones de la propiedad que afecten considerablemente la salud o la seguridad del propietario o la persona que reside en la propiedad y el propietario de la vivienda lo deje asentado por escrito; y

(D) el contrato por el trabajo y los materiales es formalizado por el propietario y el cónyuge del propietario sólo en la oficina de un prestamista externo que hace una extensión del crédito por el trabajo y los materiales, un abogado o una compañía de títulos de propiedad;

(6) una extensión del crédito que:

(A) está garantizada mediante un gravamen voluntario sobre la propiedad, creado conforme a un acuerdo escrito con el consentimiento de todos los propietarios y los cónyuges de todos los propietarios;

(B) es de un monto principal que al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad no supera el 80 por ciento del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(C) no tiene posibilidad recurrir a la responsabilidad personal contra cada propietario y el cónyuge de cada propietario, a menos que el propietario o su cónyuge hayan obtenido la extensión del crédito mediante un fraude;

(D) está garantizada por un gravamen que puede ser ejecutado sólo por una orden de un tribunal;

(E) no requiere que el propietario o el cónyuge del propietario pague, además de cualquier interés o puntos de descuento de buena fe utilizados para reducir la tasa de interés, cualquier tasa a cualquier persona que sea necesaria para crear, evaluar, mantener, registrar, garantizar o revisar la extensión del crédito que supere, en la suma total, el dos [tres] por ciento del monto principal original de la extensión del crédito, excepto tasas por:

(i) una valoración impositiva realizada por un tasador externo;

(ii) la agrimensura de la propiedad realizada por un agrimensor registrado o licenciado en el estado;

(iii) una prima de base estatal por una póliza de seguro de título para hipoteca con respaldos establecidos de acuerdo con las leyes del estado; o

(iv) un informe de evaluación de título, si su costo es menor que la prima de base estatal por una póliza de seguro de título para hipoteca sin respaldos establecidos de acuerdo con las leyes del estado;

(F) no es un tipo de línea de crédito abierta que puede ser debitada ocasionalmente o conforme a la cual el crédito puede ser extendido ocasionalmente, a menos que la línea de crédito abierta sea una línea de crédito con respaldo hipotecario;

(G) es pagadera por anticipado sin penalización ni otros cargos;

(H) no está garantizada por ninguna propiedad real o personal adicional distinto de la vivienda;

(I) ~~(derogada) [no está garantizada por una vivienda que a la fecha de cierre sea designada para uso agrícola según lo establecido por las leyes que rigen el impuesto a la propiedad, a menos que tal vivienda sea utilizada principalmente para la producción de leche];~~

(J) no puede acelerarse por una disminución en el valor de mercado de la vivienda o por el incumplimiento del propietario con respecto a otras deudas no garantizadas por una carga válida anterior contra la vivienda;

(K) es la única deuda garantizada por la vivienda en el momento en que se hace la extensión del crédito, a menos que la otra deuda haya sido hecha por un propósito descrito en las Subsecciones (a)(1)-(a)(5) o la Subsección (a)(8) de esta sección;

(L) está programada para ser liquidada:

(i) en sucesivas cuotas regulares sustancialmente iguales, no más frecuentemente que cada 14 días y no menos frecuentemente que cada mes, empezando no más de dos meses después de la fecha en que se hace la extensión del crédito, cada una de las cuales equivale o supera la cantidad de interés acumulado desde la fecha de la cuota programada; o

(ii) si la extensión del crédito es una línea de crédito con respaldo hipotecario, en cuotas regulares descritas conforme a la Subsección (t)(8) de esta sección;

(M) no se cierra antes:

(i) del día 12 después de la fecha más posterior entre las siguientes:
la fecha en que el propietario de la vivienda le presenta una solicitud de préstamo al prestamista por la extensión del crédito o la fecha en que el prestamista le da al propietario una copia del aviso prescrito en la Subsección (g) de esta sección;

(ii) de un día hábil después de la fecha en que el propietario de la vivienda recibe una copia de la solicitud de préstamo si no ha sido proporcionada anteriormente y una divulgación final detallada de las tasas, puntos, intereses, costos y cargos reales que serán cobrados en el cierre. Si existe una emergencia de buena fe u otra buena causa y el prestamista obtiene el consentimiento escrito del propietario, el prestamista puede proporcionarle la documentación al propietario o puede modificar la documentación proporcionada anteriormente en la fecha de cierre; y

(iii) el primer aniversario de la fecha de cierre de cualquier otra extensión del crédito descrita en la Subsección (a)(6) de esta sección garantizada por la misma vivienda, excepto un refinanciamiento descrito en el Párrafo (Q)(x)(f) de esta subdivisión, a menos que el propietario requiera bajo juramento un cierre anterior debido a un estado de emergencia que:

(a) haya sido declarado por el presidente de los Estados Unidos o por el gobernador según lo establecido por la ley; y

(b) se aplique al área en la que está ubicada la vivienda;

(N) se cierra sólo en la oficina del prestamista, un abogado o una compañía de títulos de propiedad;

(O) permite que un prestamista contrate y reciba cualquier tasa de interés fija o variable autorizada de acuerdo con la ley;

(P) es realizada por uno de los siguientes establecimientos que, de acuerdo a una agencia regulatoria federal, no se ha visto involucrado en la práctica de negarse a hacer préstamos porque los solicitantes de los préstamos residen o la propiedad propuesta para garantizar los préstamos está ubicada en una cierta área:

(i) un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito que hace negocios conforme a las leyes de este estado o de los Estados Unidos, incluso la subsidiaria de un banco, una asociación de ahorros y préstamos, un banco de ahorros o una cooperativa de crédito descritos en este subpárrafo;

(ii) un organismo de préstamo autorizado por el gobierno federal o una persona autorizada como acreedor hipotecario por el gobierno de los Estados Unidos para hacer préstamos con garantía federal;

(iii) una persona licenciada para hacer préstamos regulados, según lo establecido por la ley de este estado;

(iv) una persona que vendió la vivienda al propietario actual y que proporcionó la totalidad o parte del financiamiento para la compra;

(v) una persona que es familiar del propietario de la residencia en segundo grado de afinidad o consanguinidad; o

(vi) una persona regulada por este estado como [agente] entidad de préstamos hipotecarios o compañía de préstamos hipotecarios; y

(Q) se hace con la condición de que:

(i) el propietario de la vivienda no tenga que aplicar los ingresos de la extensión del crédito para liquidar otra deuda, excepto las deudas garantizadas por la vivienda o las deudas a otro prestamista;

(ii) el propietario de la vivienda no asigne salarios como garantía por la extensión del crédito;

(iii) el propietario de la vivienda no firme ningún documento en el que haya espacios vacíos para rellenar relacionados con términos sustanciales del acuerdo;

(iv) el propietario de la vivienda no firme una declaración jurada de admisión de deuda o poder notarial al prestamista o a un tercero para admitir su deuda o para aparecer por el propietario en un procedimiento judicial;

(v) en el momento en que se hace la extensión del crédito, el propietario de la vivienda debe recibir una copia de la solicitud final de préstamo y de todos los

documentos formalizados firmados por el propietario en el cierre y relacionados con la extensión del crédito;

(vi) los documentos de garantía que garantizan la extensión del crédito contengan una cláusula de divulgación que establezca que la extensión del crédito es el tipo de crédito definido en la Subsección (a)(6) de esta sección [~~Sección 50(a)(6), Artículo XVI, de la Constitución de Texas~~];

(vii) dentro de un plazo razonable luego del vencimiento y del pago completo de la extensión del crédito, el prestamista cancele y devuelva el pagaré al propietario de la vivienda y le dé al propietario, en formato registrable, una liberación del gravamen que garantice la extensión del crédito o una copia del endoso y asignación del gravamen a un prestamista que esté refinanciando la extensión del crédito;

(viii) el propietario de la vivienda y cualquier cónyuge del propietario puedan, dentro de los tres días posteriores a la fecha en que se hace la extensión del crédito, rescindir la extensión sin penalización ni cargos;

(ix) el propietario de la vivienda y el prestamista firmen un reconocimiento escrito del valor justo de mercado de la propiedad en la fecha en que se hace la extensión del crédito;

(x) a excepción de lo establecido en el Subpárrafo (xi) de este párrafo, el prestamista o cualquier titular de la nota de la extensión del crédito deben renunciar a todos los capitales e intereses de la extensión del crédito si el prestamista o titular no cumple sus obligaciones conforme a la extensión del crédito y no corrige su incumplimiento en un plazo no mayor de 60 días después de la fecha en que el prestamista o titular es notificado por el prestatario de su incumplimiento por:

(a) pagarle al propietario una cantidad equivalente a cualquier recargo pagado por el propietario conforme a la extensión del crédito o relacionado con ella, si el propietario pagó un monto que supera la cantidad estipulada en el párrafo aplicable (E), (G) u (O) de esta subdivisión;

(b) enviarle al propietario un reconocimiento escrito de que el gravamen es válido sólo en la cantidad en que la extensión del crédito no supere el porcentaje descrito en el Párrafo (B) de esta subdivisión, si corresponde, o no esté garantizado por una propiedad descrita por el Párrafo (H) [~~e-(H)~~] de esta subdivisión, si corresponde;

(c) enviarle al propietario un aviso escrito que transforma cualquier otra cantidad, porcentaje, término u otra disposición prohibidos en esta sección en una cantidad, porcentaje, término u otra disposición permitidos y modifica la cuenta del prestatario para garantizar que el prestatario no tenga que pagar más que una cantidad permitida en esta sección y no esté sujeto a cualquier otro término o disposición prohibidos en esta sección;

(d) llevarle los documentos requeridos al prestatario si el prestamista no cumple los términos del Subpárrafo (v) de este párrafo u obtener las firmas apropiadas si el prestamista no cumple los términos del Subpárrafo (ix) de este párrafo;

(e) enviarle al propietario un reconocimiento escrito, si el incumplimiento está prohibido en el Párrafo (K) de esta subdivisión, de que el interés acumulado y todas las obligaciones del propietario conforme a la extensión del crédito disminuyen mientras que cualquier gravamen anterior prohibido según lo establecido en el Párrafo (K) sigue estando garantizado por la vivienda; o

(f) si el incumplimiento no puede ser subsanado conforme a los Subpárrafos (x)(a)-(e) de este párrafo, subsanar el incumplimiento mediante un reintegro o un crédito de \$1,000 al propietario y ofrecerle al propietario el derecho a refinanciar la extensión del crédito con el prestamista o titular por el período restante del préstamo sin ningún costo para el propietario y bajo las mismas condiciones, incluyendo el interés, de la extensión del crédito original con las modificaciones que sean necesarias para cumplir los términos de esta sección o bajo las condiciones que el propietario y el prestamista o titular acuerden de otra forma y que cumplan los términos de esta sección; y

(xi) el prestamista o cualquier titular de la nota de la extensión del crédito debe renunciar a todos los capitales e intereses de la extensión del crédito si la extensión es hecha por una persona distinta a la persona descrita conforme al Párrafo (P) de esta subdivisión o si el gravamen no fue creado en virtud de un acuerdo escrito con el consentimiento de cada uno

de los propietarios y los cónyuges de cada uno de los propietarios, a menos que cada uno de los propietarios y cada uno de los cónyuges que inicialmente no lo habían hecho, den su consentimiento;

(7) una hipoteca inversa; o

(8) la conversión y el refinanciamiento de un gravamen de bienes muebles garantizado por una casa prefabricada a un gravamen de bienes inmuebles, incluido el refinanciamiento del precio de compra de la casa prefabricada, el costo de instalación de la casa prefabricada en el bien inmueble y el refinanciamiento del precio de compra del bien inmueble.

(f) El refinanciamiento de una deuda garantizada por la vivienda, de la cual cualquier parte es una extensión del crédito descrita en la Subsección (a)(6) de esta sección, no puede ser garantizada por un gravamen válido sobre la vivienda a menos que ocurra uno de los siguientes:

(1) el refinanciamiento de la deuda sea una extensión del crédito descrita en la Subsección (a)(6) o (a)(7) de esta sección; o

(2) se cumplan todas las condiciones siguientes:

(A) el refinanciamiento no se cierra antes del primer aniversario de la fecha de cierre de la extensión del crédito;

(B) la extensión de crédito refinanciada no incluye el anticipo de cualquier fondo adicional distinto de:

(i) fondos anticipados para refinanciar una deuda descrita en las Subsecciones (a)(1) a (a)(7) de esta sección; o

(ii) los costos y reservas reales requeridos por el prestamista para refinanciar la deuda;

(C) el refinanciamiento de la extensión del crédito corresponde a un monto principal que, al ser añadido a la suma total de los saldos pendientes del capital de todas las otras deudas garantizadas por embargos válidos sobre la propiedad, no supera el 80 por ciento del valor justo de mercado de la vivienda en la fecha en la que se realiza el refinanciamiento de la extensión de crédito; y

(D) el prestamista le proporciona al propietario el siguiente aviso escrito en un documento separado en un plazo no mayor del tercer día hábil posterior a la fecha en que el propietario le presenta la solicitud de préstamo al prestamista y al menos 12 días antes de la fecha en que se cierra el refinanciamiento de la extensión del crédito:

"EL PRÉSTAMO EXISTENTE QUE USTED DESEA REFINANCIAR ES UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. USTED PUEDE TENER LA OPCIÓN DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA YA SEA COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA O COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, SI ASÍ SE LO OFRECE SU PRESTAMISTA.

"LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA POSEEN IMPORTANTES PROTECCIONES PARA EL CONSUMIDOR. UN PRESTAMISTA SÓLO PUEDE EJECUTAR UN PRÉSTAMO CON GARANTÍA HIPOTECARIA BASÁNDOSE EN UNA ORDEN DE UN TRIBUNAL. UN PRÉSTAMO CON GARANTÍA HIPOTECARIA NO DEBE TENER POSIBILIDAD RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE.

"SI HA SOLICITADO REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE COMO UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, PERDERÁ CIERTAS PROTECCIONES AL CONSUMIDOR. UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA REFINANCIADO:

"(1) LE PERMITIRÁ AL PRESTAMISTA EJECUTARLO SIN UNA ORDEN DE UN TRIBUNAL;

"(2) TENDRÁ POSIBILIDAD DE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE; Y

"(3) TAMBIÉN PUEDE INCLUIR OTROS TÉRMINOS O CONDICIONES QUE PUEDEN NO ESTAR PERMITIDOS EN UN PRÉSTAMO TRADICIONAL CON GARANTÍA HIPOTECARIA.

"ANTES DE REFINANCIAR SU PRÉSTAMO CON GARANTÍA HIPOTECARIA EXISTENTE PARA CONVERTIRLO EN UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA, DEBE ASEGURARSE DE QUE ENTIENDE QUE ESTÁ RENUNCIANDO A IMPORTANTES PROTECCIONES QUE PROVEEN LOS PRÉSTAMOS CON GARANTÍA HIPOTECARIA CONFORME A LA LEY, Y DEBE CONSIDERAR CONSULTAR A UN ABOGADO QUE USTED ELIJA ACERCA DE ESAS PROTECCIONES.

"QUIZÁS DESEE PEDIRLE A SU PRESTAMISTA QUE REFINANCIE SU PRÉSTAMO COMO UN PRÉSTAMO CON GARANTÍA HIPOTECARIA. SIN EMBARGO, UN PRÉSTAMO CON GARANTÍA

HIPOTECARIA PUEDE TENER UNA TASA DE INTERÉS Y COSTOS DE CIERRE MÁS ALTOS QUE UN PRÉSTAMO SIN GARANTÍA HIPOTECARIA”.

(f-1) Un gravamen que garantiza el refinanciamiento de una deuda conforme a la Subsección (f)(2) de esta sección es considerado un gravamen descrito en la Subsección (a)(4) de esta sección. Una declaración jurada firmada por el propietario o el cónyuge del propietario en la que reconoce que se han cumplido los requisitos de la Subsección (f)(2) de esta sección establece concluyentemente que se han cumplido los requisitos de la Subsección (a)(4) de esta sección.

(g) Una extensión del crédito descrita en la Subsección (a)(6) de esta sección puede ser garantizada por un gravamen válido sobre la vivienda si la extensión del crédito no se cierra antes del día 12 después de que el prestamista le proporcione al propietario la siguiente notificación escrita en un documento separado:

“NOTIFICACIÓN RELACIONADA CON LAS EXTENSIONES DEL CRÉDITO DEFINIDAS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS:

“LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PERMITE QUE CIERTOS PRÉSTAMOS SEAN GARANTIZADOS POR LA HIPOTECA DE SU HOGAR. ESOS PRÉSTAMOS SON CONOCIDOS COMÚNMENTE COMO PRÉSTAMOS CON GARANTÍA HIPOTECARIA. SI USTED NO LIQUIDA EL PRÉSTAMO O NO CUMPLE LAS CONDICIONES DEL PRÉSTAMO, EL PRESTAMISTA PUEDE EJECUTAR LA HIPOTECA Y VENDER SU HOGAR. LA CONSTITUCIÓN DISPONE QUE:

“(A) EL PRÉSTAMO DEBE SER CREADO VOLUNTARIAMENTE CON EL CONSENTIMIENTO DE CADA UNO DE LOS PROPIETARIOS DE SU HOGAR Y EL CÓNYUGE DE CADA UNO DE LOS PROPIETARIOS;

“(B) EL MONTO PRINCIPAL DEL PRÉSTAMO EN EL MOMENTO EN QUE SE HACE EL PRÉSTAMO NO DEBE SUPERAR UNA CANTIDAD QUE, AL SER AÑADIDA A LOS SALDOS PENDIENTES DEL CAPITAL DE TODOS LOS OTROS GRAVÁMENES SOBRE SU HOGAR, SEA MAYOR AL 80 POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR;

(C) EL PRÉSTAMO NO DEBE RECURRIR A LA RESPONSABILIDAD PERSONAL CONTRA USTED Y SU CÓNYUGE, A MENOS QUE USTED O SU CÓNYUGE HAYAN OBTENIDO LA EXTENSIÓN DEL CRÉDITO MEDIANTE UN FRAUDE;

“(D) EL GRAVAMEN QUE GARANTIZA EL PRÉSTAMO PUEDE SER EJECUTADO SÓLO CON UNA ORDEN DE UN TRIBUNAL;

“(E) LAS TASAS Y CARGOS PARA HACER EL PRÉSTAMO NO PUEDEN SUPERAR EL 2 [3] POR CIENTO DEL MONTO DEL PRÉSTAMO, EXCEPTO POR LAS TASAS O CARGOS POR UNA VALORACIÓN IMPOSITIVA REALIZADA POR UN TASADOR EXTERNO, UNA AGRIMENSURA DE LA PROPIEDAD REALIZADA POR UN AGRIMENSUR REGISTRADO O LICENCIADO EN EL ESTADO, UNA PRIMA DE BASE ESTATAL POR UNA PÓLIZA DE SEGURO DE TÍTULO PARA HIPOTECA CON RESPALDOS, O UN INFORME DE EVALUACIÓN DE TÍTULO;

“(F) EL PRÉSTAMO NO PUEDE SER UNA LÍNEA DE CRÉDITO ABIERTA QUE PUEDA SER DEBITADA OCASIONALMENTE O CONFORME A LA CUAL EL CRÉDITO PUEDA SER EXTENDIDO OCASIONALMENTE, A MENOS QUE SEA UNA LÍNEA DE CRÉDITO CON RESPALDO HIPOTECARIO;

“(G) USTED PUEDE PAGAR EL PRÉSTAMO POR ANTICIPADO SIN PENALIZACIÓN NI CARGOS;

“(H) NINGUNA GARANTÍA REAL ADICIONAL PUEDE ACTUAR COMO GARANTÍA PARA EL PRÉSTAMO;

~~“(I) (derogada) [EL PRÉSTAMO NO PUEDE SER GARANTIZADO POR UNA VIVIENDA DESIGNADA PARA USO AGRÍCOLA A LA FECHA DE CIERRE, A MENOS QUE LA VIVIENDA AGRÍCOLA SEA UTILIZADA PRINCIPALMENTE PARA LA PRODUCCIÓN DE LECHE];~~

“(J) USTED NO TIENE QUE LIQUIDAR EL PRÉSTAMO ANTES DE LO ACORDADO ÚNICAMENTE PORQUE EL VALOR JUSTO DE MERCADO DE SU HOGAR DISMINUYA O PORQUE USTED NO CUMPLA CON OTRO PRÉSTAMO QUE NO ESTÁ GARANTIZADO POR SU HOGAR;

“(K) SÓLO UN PRÉSTAMO DESCRITO EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS PUEDE SER GARANTIZADO CON SU HOGAR EN CUALQUIER MOMENTO DADO;

“(L) EL PRÉSTAMO DEBE ESTAR PROGRAMADO PARA SER LIQUIDADO EN PAGOS QUE SEAN IGUALES A O SUPEREN LA CANTIDAD DE INTERÉS ACUMULADO EN CADA PERÍODO DE PAGO;

“(M) EL PRÉSTAMO NO PUEDE CERRARSE ANTES DE LOS 12 DÍAS DESPUÉS DE QUE USTED PRESENTE UNA SOLICITUD DE PRÉSTAMO AL PRESTAMISTA O ANTES DE LOS 12 DÍAS DESPUÉS DE RECIBIR ESTA NOTIFICACIÓN, LO QUE OCURRA MÁS TARDE; Y NO PUEDE CERRARSE SIN SU

CONSENTIMIENTO ANTES DE QUE TRANSCURRA UN DÍA HÁBIL DESPUÉS DE LA FECHA EN QUE USTED RECIBE UNA COPIA DE LA SOLICITUD DE PRÉSTAMO, SI NO LE HA SIDO PROPORCIONADA ANTERIORMENTE, Y UNA DIVULGACIÓN FINAL DETALLADA DE LAS TASAS, PUNTOS, INTERESES, COSTOS Y CARGOS REALES QUE SERÁN COBRADOS EN EL CIERRE; Y SI SU HOGAR ACTUÓ COMO GARANTÍA PARA EL MISMO TIPO DE PRÉSTAMO EN EL ÚLTIMO AÑO, NO PUEDE CERRARSE UN NUEVO PRÉSTAMO GARANTIZADO POR LA MISMA PROPIEDAD ANTES DE QUE HAYA PASADO UN AÑO DESDE LA FECHA DE CIERRE DEL OTRO PRÉSTAMO, A MENOS QUE USTED HAYA SOLICITADO BAJO JURAMENTO UN CIERRE ANTERIOR DEBIDO A UN ESTADO DE EMERGENCIA DECLARADO;

"(N) EL PRÉSTAMO SÓLO PUEDE CERRARSE EN LA OFICINA DEL PRESTAMISTA, UNA COMPAÑÍA DE TÍTULOS DE PROPIEDAD O EL ESTUDIO DE UN ABOGADO;

"(O) EL PRESTAMISTA PUEDE COBRAR CUALQUIER TASA DE INTERÉS FIJA O VARIABLE AUTORIZADA POR LA LEY;

"(P) SÓLO UN PRESTAMISTA AUTORIZADO LEGALMENTE PUEDE HACER PRÉSTAMOS DESCRITOS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS;

"(Q) LOS PRÉSTAMOS DESCRITOS EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS:

"(1) NO DEBEN REQUERIR QUE USTED APLIQUE LOS INGRESOS A OTRA DEUDA, EXCEPTO QUE SEA UNA DEUDA QUE ESTÉ GARANTIZADA POR SU HOGAR O UNA DEUDA A OTRO PRESTAMISTA;

"(2) NO DEBEN REQUERIR QUE USTED ASIGNE SALARIOS COMO GARANTÍA;

"(3) NO DEBEN REQUERIR QUE USTED FIRME DOCUMENTOS QUE TENGAN ESPACIOS VACÍOS PARA RELLENAR RELACIONADOS CON TÉRMINOS SUSTANCIALES DEL ACUERDO;

"(4) NO DEBEN REQUERIR QUE USTED FIRME UNA DECLARACIÓN JURADA DE ADMISIÓN DE DEUDA O PODER NOTARIAL A OTRA PERSONA PARA ADMITIR SU DEUDA O COMPARECER EN UN PROCEDIMIENTO LEGAL EN SU NOMBRE;

"(5) DEBEN DISPONER QUE USTED RECIBA UNA COPIA DE LA SOLICITUD FINAL DE PRÉSTAMO Y DE TODOS LOS DOCUMENTOS FIRMADOS QUE USTED FIRME EN EL CIERRE;

"(6) DEBEN DISPONER QUE LOS DOCUMENTOS DE GARANTÍA CONTENGAN UNA CLÁUSULA DE DIVULGACIÓN QUE ESTABLEZCA QUE ESTE PRÉSTAMO ES UN PRÉSTAMO DEFINIDO EN LA SECCIÓN 50(a)(6), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS;

"(7) DEBEN DISPONER QUE CUANDO EL PRÉSTAMO SEA PAGADO EN SU TOTALIDAD, EL PRESTAMISTA FIRMARÁ Y LE DARÁ UNA LIBERACIÓN DE GRAVAMEN O UNA ASIGNACIÓN DEL GRAVAMEN, SEGÚN SEA APROPIADO;

"(8) DEBEN DISPONER QUE USTED PUEDA RESCINDIR EL PRÉSTAMO DENTRO DE LOS 3 DÍAS POSTERIORES AL CIERRE, SIN PENALIZACIÓN NI CARGOS;

"(9) DEBEN DISPONER QUE USTED Y EL PRESTAMISTA RECONOZCAN EL VALOR JUSTO DE MERCADO DE SU HOGAR EN LA FECHA EN QUE SE CIERRA EL PRÉSTAMO; Y

"(10) DEBEN DISPONER QUE EL PRESTAMISTA RENUNCIARÁ A TODOS LOS CAPITALES E INTERESES SI NO CUMPLE SUS OBLIGACIONES, A MENOS QUE EL PRESTAMISTA SUBSANE SU INCUMPLIMIENTO SEGÚN LO ESTABLECIDO EN LA SECCIÓN 50(a)(6)(Q)(x), ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS; Y

"(R) SI EL PRÉSTAMO ES UNA LÍNEA DE CRÉDITO CON RESPALDO HIPOTECARIO:

"(1) USTED PUEDE SOLICITAR ANTICIPOS, REEMBOLSAR DINERO Y VOLVER A TOMAR DINERO PRESTADO CONFORME A LA LÍNEA DE CRÉDITO;

"(2) CADA ANTICIPO CONFORME A LA LÍNEA DE CRÉDITO DEBE REALIZARSE POR UN MONTO DE AL MENOS \$4,000;

"(3) USTED NO PUEDE UTILIZAR UNA TARJETA DE CRÉDITO, TARJETA DE DÉBITO O RECURSO SIMILAR, O UN CHEQUE PREIMPRESO QUE NO SOLICITÓ, PARA OBTENER ANTICIPOS CONFORME A LA LÍNEA DE CRÉDITO;

"(4) CUALQUIER TASA QUE EL PRESTAMISTA COBRE PODRÁ SER CARGADA Y COBRADA SÓLO EN EL MOMENTO EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO Y EL PRESTAMISTA NO PUEDE COBRAR UNA TASA EN CONEXIÓN CON NINGÚN ANTICIPO;

"(5) LA CANTIDAD PRINCIPAL MÁXIMA QUE PUEDE SER EXTENDIDA, AL SER AÑADIDA A TODAS LAS OTRAS DEUDAS GARANTIZADAS POR SU HOGAR, NO PUEDE SUPERAR EL 80 POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR EN LA FECHA EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO;

“(6) SI EL SALDO PENDIENTE DEL CAPITAL CONFORME A LA LÍNEA DE CRÉDITO SUPERA EN CUALQUIER MOMENTO EL 80 [50] POR CIENTO DEL VALOR JUSTO DE MERCADO DE SU HOGAR, SEGÚN LO DETERMINADO EN LA FECHA EN QUE SE ESTABLECE LA LÍNEA DE CRÉDITO, USTED NO PODRÁ CONTINUAR SOLICITANDO ANTICIPOS CONFORME A LA LÍNEA DE CRÉDITO HASTA QUE EL SALDO PENDIENTE SEA MENOR AL 80 [50] POR CIENTO DEL VALOR JUSTO DE MERCADO; Y

“(7) EL PRESTAMISTA NO PUEDE MODIFICAR UNILATERALMENTE LOS TÉRMINOS DE LA LÍNEA DE CRÉDITO.

“ESTA NOTIFICACIÓN ES SÓLO UN RESUMEN DE SUS DERECHOS CONFORME A LA CONSTITUCIÓN DE TEXAS. SUS DERECHOS SE RIGEN POR LA SECCIÓN 50, ARTÍCULO XVI, DE LA CONSTITUCIÓN DE TEXAS, Y NO POR ESTA NOTIFICACIÓN”.

Si las discusiones con el prestatario son llevadas a cabo principalmente en un idioma que no sea el inglés, el prestamista debe, antes del cierre, proporcionar una copia adicional de la notificación traducida por escrito al idioma en el que fueron llevadas a cabo las discusiones.

(t) Una línea de crédito con respaldo hipotecario es un tipo de línea de crédito abierta que puede ser debitada ocasionalmente, conforme a la cual el crédito puede ser extendido ocasionalmente y conforme a la cual:

(1) el propietario solicita anticipos, reembolsa dinero y vuelve a tomar dinero prestado;

(2) cualquier débito o anticipo simple es mayor que \$4,000;

(3) el propietario no utiliza una tarjeta de crédito, una tarjeta de débito o un recurso similar, o un cheque preimpreso que no haya sido solicitado por el prestatario, para obtener un anticipo;

(4) cualquier tasa descrita en la Subsección (a)(6)(E) de esta sección es cargada y cobrada sólo en el momento en que se establece la extensión del crédito, y no se carga ni se cobra ninguna tasa en conexión con cualquier débito o anticipo;

(5) la cantidad principal máxima que puede ser extendida conforme a la línea de crédito, al ser añadida a la suma total de los saldos pendientes del capital de todas las deudas garantizadas por la propiedad en la fecha en que se establece la extensión del crédito, no supera una cantidad descrita conforme a la Subsección (a)(6)(B) de esta sección;

(6) ~~(derogada) [no se hace ningún débito o anticipo adicional si el saldo pendiente total del capital supera una cantidad equivalente al 50 por ciento del valor justo de mercado de la propiedad según lo determinado en la fecha en que se establece la línea de crédito];~~

(7) el prestamista o titular no puede modificar unilateralmente la extensión del crédito; y

(8) la liquidación debe ser hecha en cuotas periódicas regulares, con una frecuencia no mayor que cada 14 días y no menor que cada mes, empezando no más de dos meses después de la fecha en que se establece la extensión del crédito, y:

(A) durante el período en que el propietario puede solicitar anticipos, cada cuota equivale a o supera la cantidad de interés acumulado; y

(B) luego del período en que el propietario puede solicitar anticipos, las cuotas son sustancialmente iguales.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiamiento para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para el refinanciamiento de los préstamos con garantía hipotecaria, cambiar el umbral para un anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas.

(b) La enmienda constitucional entra en efecto el 1 de enero de 2018.

(c) Los cambios a las leyes hechos por la enmienda constitucional se aplican sólo a un préstamo con garantía hipotecaria realizado a partir de la fecha de vigencia de la enmienda constitucional y a un préstamo con garantía hipotecaria existente que sea refinanciado a partir de la fecha de vigencia de la enmienda constitucional.

(d) Esta disposición temporal entra en efecto cuando la enmienda constitucional es adoptada por los votantes y caduca el 1 de enero de 2019.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "Enmienda constitucional para establecer una cantidad menor para los gastos que se pueden cobrar a un prestatario y eliminar ciertas limitaciones de gastos de financiación para un préstamo con garantía hipotecaria, establecer ciertos prestamistas autorizados para hacer un préstamo con garantía hipotecaria, cambiar ciertas opciones para la refinanciación de los préstamos de segunda hipoteca, cambiar del umbral para un anticipo de una línea de crédito con respaldo hipotecario y otorgar préstamos con garantía hipotecaria sobre las granjas agrícolas".

PROPUESTA NÚMERO 3 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 34

Se propone una enmienda constitucional que limite el servicio de ciertos funcionarios públicos después del vencimiento del mandato de la persona.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 17, Artículo XVI, de la Constitución de Texas, se modifica para leerse de la siguiente manera:

Sección 17. (a) A excepción de lo establecido en la Subsección (b) de esta sección, todos [Todos] los funcionarios de [dentro] este estado deben continuar cumpliendo los deberes de su cargo hasta que sus sucesores sean debidamente calificados.

(b) Después del vencimiento del mandato de un cargo designado que es ocupado por nombramiento del Gobernador con el consejo y consentimiento del Senado y que no sea un cargo por el que el funcionario reciba un sueldo, el período durante el cual el funcionario deberá continuar cumpliendo los deberes de su cargo conforme a la Subsección (a) de esta sección terminará el último día de la primera Sesión Regular de la Legislatura que empiece después del vencimiento del mandato.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "Enmienda constitucional que limita el servicio de ciertos funcionarios públicos nombrados por el gobernador y confirmados por el senado después de la caducidad del mandato de la persona".

PROPUESTA NÚMERO 4 DEL ESTADO DE TEXAS
RESOLUCIÓN CONJUNTA DEL SENADO

S.J.R. Nº 6

Se propone una enmienda constitucional que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. El Artículo V, de la Constitución de Texas, se modifica añadiendo la Sección 32 para leerse de la siguiente manera:

Sección 32. Sin perjuicio de la Sección 1, Artículo II, de esta constitución, la legislatura puede:

(1) requerir que un tribunal en el que una parte litigante presenta una petición, una moción u otro escrito que impugna la constitucionalidad de una ley de este estado notifique al

fiscal general de dicha impugnación si la parte que plantea la impugnación notifica al tribunal que está impugnando la constitucionalidad de tal ley; y

(2) prescribir un período razonable, de no más de 45 días después de la disposición de esa notificación, durante el cual el tribunal no puede dictaminar que dicha ley es inconstitucional.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica con respecto a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza a la legislatura a imponer un período de espera, no mayor de 45 días, antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional.

(b) La Sección 402.010 del Código de Gobierno, según lo agregado en el Capítulo 808 (H.B. (Proyecto de Ley de la Cámara de Representantes) 2425), Leyes de la 82ª Sesión Legislativa, Sesión Regular, 2011, y modificada en el Capítulo 1162 (S.B. (Proyecto de Ley Senatorial) 392) y el Capítulo 1276 (H.B. 1435), Leyes de la 83ª Sesión Legislativa, Sesión Regular, 2013, se valida y se hace efectiva con la aprobación de la enmienda constitucional descrita en la Subsección (a) de esta disposición temporal y se aplica sólo a una petición, moción u otro escrito presentado a partir del 1 de enero de 2018.

(c) Esta disposición temporal caduca el 2 de enero de 2018.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "Enmienda constitucional que autoriza a la legislatura a requerir que un tribunal notifique al fiscal general de una impugnación de la constitucionalidad de una ley estatal y autoriza al legislador a imponer un período de espera antes de que el tribunal pueda dictaminar que la ley estatal es inconstitucional".

PROPUESTA NÚMERO 5 DEL ESTADO DE TEXAS

H.J.R. Nº 100

RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional sobre las fundaciones benéficas de equipos deportivos profesionales que realizan rifas caritativas.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 47(d-1), Artículo III, de la Constitución de Texas, se modifica para leerse de la siguiente manera:

(d-1) La legislatura, por ley general, puede permitirle a la fundación benéfica de un equipo deportivo profesional realizar rifas caritativas conforme a los términos y condiciones impuestos por ley general. La ley puede autorizar a la fundación benéfica a pagar, con los ingresos provenientes de las rifas, gastos administrativos, de publicidad y de promoción que sean razonables. Una ley sancionada conforme a esta subsección se aplica [puede aplicarse] sólo a una entidad [que sea] definida como la fundación benéfica de un equipo deportivo profesional de acuerdo con esa ley [al 1 de enero de 2016,] y sólo puede permitir que las rifas caritativas sean realizadas en partidos organizados en el estadio local del equipo deportivo profesional asociado a la fundación benéfica de ese equipo deportivo profesional. En esta subsección, un "equipo deportivo profesional" significa:

(1) un equipo organizado en este estado que es miembro de la Liga Mayor de Béisbol, la Asociación Nacional de Baloncesto, la Liga Nacional de Hockey, la Liga Nacional de Fútbol Americano, las Ligas Mayores de Fútbol, la Liga Estadounidense de Hockey, la Liga de Hockey de la Costa Este, la Asociación Estadounidense de Béisbol Profesional Independiente, la Liga de Béisbol Profesional del Atlántico, las Ligas Menores de Béisbol, la Liga de Desarrollo de la Asociación Nacional de Baloncesto, la Liga Nacional de Fútbol Profesional Femenino, la Liga Mayor

de Fútbol Rápido, la Liga de Fútbol Unida o la Asociación Nacional de Baloncesto Femenino;

(2) una persona que organiza una carrera de autos autorizada por la Asociación Nacional de Carreras de Automóviles de Serie (NASCAR), INDYCar u otra asociación de carreras de automóviles reconocida a nivel nacional en un estadio de este estado que tenga una capacidad permanente para no menos de 75.000 personas sentadas;

(3) una organización anfitriona de un evento de la Asociación de Golf Profesional; o

(4) cualquier otro equipo deportivo profesional definido por la ley.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "Enmienda constitucional sobre fundaciones benéficas de equipos deportivos profesionales que realizan rifas caritativas".

PROPUESTA NÚMERO 6 DEL ESTADO DE TEXAS

S.J.R. Nº 1

RESOLUCIÓN CONJUNTA DEL SENADO

Se propone una enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio".

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 1-b, Artículo VIII, de la Constitución de Texas, se modifica añadiendo las Subsecciones (o) y (p) para leerse de la siguiente manera:

(o) La legislatura, por ley general, puede disponer que el cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio tiene derecho a recibir una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente, mientras este no se haya vuelto a casar desde la muerte del agente de primera intervención. La legislatura, por ley general, puede definir "agente de primera intervención" para los propósitos de esta subsección y puede prescribir requisitos de elegibilidad adicionales para recibir la exención autorizada en esta subsección.

(p) La legislatura, por ley general, puede disponer que un cónyuge sobreviviente, que califica para recibir y recibe una exención de acuerdo con la Subsección (o) de esta sección y que posteriormente califica una propiedad distinta como su residencia principal, tiene derecho a recibir una exención del impuesto ad valorem de la residencia calificada posteriormente en un monto equivalente al valor en dólares de la exención del impuesto ad valorem de la primera residencia por la que se recibió la exención de acuerdo con la Subsección (o) de esta sección en el último año en que el cónyuge sobreviviente recibió la exención conforme a esa subsección para esa residencia mientras este no se haya vuelto a casar desde la muerte del agente de primera intervención.

SECCIÓN 2. La siguiente disposición temporal es añadida a la Constitución de Texas:

DISPOSICIÓN TEMPORAL. (a) Esta disposición temporal se aplica a la enmienda constitucional propuesta por la 85ª Sesión Legislativa, Sesión Regular, 2017, que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o de parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera intervención quien es matado o herido de muerte en acto de servicio.

(b) Las Secciones 1-b(o) y (p), Artículo VIII, de esta constitución entran en efecto el 1 de enero de 2018 y se aplican sólo a un año tributario que comience en o después de esa fecha.

(c) Esta disposición temporal caduca el 1 de enero de 2019.

SECCIÓN 3. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: "Enmienda constitucional que autoriza a la legislatura a ofrecer una exención del impuesto ad valorem de la totalidad o parte del valor de mercado de la residencia principal del cónyuge sobreviviente de un agente de primera

intervención quien es matado o herido de muerte en acto de servicio”.

PROPUESTA NÚMERO 7 DEL ESTADO DE TEXAS

H.J.R. Nº 37

RESOLUCIÓN CONJUNTA DE LA CÁMARA DE REPRESENTANTES

Se propone una enmienda constitucional con relación al poder legislativo para permitir que las cooperativas de crédito y otras instituciones financieras otorguen premios por sorteo para promover el ahorro.

LA LEGISLATURA DEL ESTADO DE TEXAS RESUELVE:

SECCIÓN 1. La Sección 47, Artículo III, de la Constitución de Texas, se modifica añadiendo la Subsección (d-2) para leerse de la siguiente manera:

(d-2) La subsección (a) de esta sección no le prohíbe a la legislatura autorizar a las cooperativas de crédito y a otras instituciones financieras llevar a cabo, conforme a los términos y condiciones impuestos por ley general, actividades promocionales para promover el ahorro en las cuales los premios son otorgados a uno o más de los depositantes de las cooperativas de crédito o instituciones financieras elegidos por sorteo.

SECCIÓN 2. Esta enmienda constitucional propuesta debe ser presentada a los votantes en una elección, la cual se llevará a cabo el 7 de noviembre de 2017. La boleta electoral debe ser impresa y debe permitir votar a favor o en contra de la proposición: “Enmienda constitucional relativa a la autoridad legislativa para permitir que las cooperativas de crédito y otras instituciones financieras otorguen premios por sorteo para promover el ahorro”.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: County Clerks

FROM: Keith Ingram, Director of Elections

DATE: September 12, 2017

RE: UPDATED Full Text of Constitutional Amendments

Enclosed is the full text, with updated Spanish translations, of the proposed constitutional amendments to be voted on November 7, 2017.

Article XVII, Section 1, Texas Constitution requires the County Clerk to post the full text of the proposed amendments in a public place in the courthouse at least 30 days prior to the November 7, 2017 constitutional amendment election, which is Sunday, October 8, 2017.

You may post the enclosed notice any time after you receive this, **but no later than October 8, 2017.**

Since this is a constitutional requirement, the responsibility to post this notice is **not** shifted to the Elections Administrator in counties that have an Election Administrator nor is the deadline extended.

If you have any questions concerning the enclosed materials or need any assistance, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

KI: LO

Attachments

C: Elections Administrators

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

CONSTITUTIONAL AMENDMENTS

TO BE VOTED ON

NOVEMBER 7, 2017

ELECTION

FULL TEXT OF AMENDMENTS

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 13, 2017 1:31 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA/VR-- Abbott v. Perez (No. 17A245) -- Orders
Attachments: 17A225 Abbott v. Perez Order.pdf; 17A245 Abbott v. Perez Order.pdf

Dear Election Officials,

As you may have heard, the U.S. Supreme Court issued a stay yesterday evening in the redistricting litigation. The court's orders are attached. These orders have the effect of preventing new congressional and legislative maps from being drawn until further order by the Supreme Court. Practically speaking, this means that we anticipate that our 2018 primary will proceed under the existing maps and that we may proceed with the printing of the voter registration certificates.

Accordingly, our office will be issuing its directive soon on the voter registration certificates. Please let us know if you have any questions.

Keith

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

HOUSE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.J.R. 24, 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(1) The legislature by general law may provide that a partially disabled veteran is entitled to an exemption from ad valorem taxation of a percentage of the market value of the disabled veteran's residence homestead that is equal to the percentage of disability of the disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead, including at no cost to the disabled veteran. The legislature by general law may provide additional eligibility requirements for the exemption. For purposes of this subsection, "partially disabled veteran" means a disabled veteran as described by Section 2(b) of this article who is certified as having a disability rating of less than 100 percent. A limitation or restriction on a disabled veteran's entitlement to an exemption under Section 2(b) of this article, or on the amount of an exemption under Section 2(b), does not apply to an exemption under this subsection.

SECTION 2. Section 1-b(1), Article VIII, Texas Constitution, as proposed by H.J.R. 62, 83rd Legislature, Regular Session, 2013, is redesignated as Section 1-b(m), Article VIII, Texas Constitution, to read as follows:

(m) ~~(1)~~ The legislature by general law may provide that the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 3. Section 1-b(m), Article VIII, Texas Constitution, is redesignated as Section 1-b(n), Article VIII, Texas Constitution, and amended to read as follows:

(n) ~~(4)~~ The legislature by general law may provide that a surviving spouse who qualifies for and receives an exemption in accordance with Subsection (m) ~~(1)~~ of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (m) ~~(1)~~ of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the member of the armed services.

SECTION 4. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related

provisions of the Texas Constitution."

STATE OF TEXAS PROPOSITION 2

S.J.R. No. 60

SENATE JOINT RESOLUTION

proposing a constitutional amendment establishing a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 50, Article XVI, Texas Constitution, is amended by amending Subsections (a), (f), (g), and (t) and adding Subsection (f-1) to read as follows:

(a) The homestead of a family, or of a single adult person, shall be, and is hereby protected from forced sale, for the payment of all debts except for:

(1) the purchase money thereof, or a part of such purchase money;

(2) the taxes due thereon;

(3) an order of partition imposed against the entirety of the property by a court order or by a written agreement of the parties to the partition, including a debt of one spouse in favor of the other spouse resulting from a division or an award of a family homestead in a divorce proceeding;

(4) the refinancing of a lien against a homestead, including a federal tax lien resulting from the tax debt of both spouses, if the homestead is a family homestead, or from the tax debt of the owner;

(5) work and material used in constructing new improvements thereon, if contracted for in writing, or work and material used to repair or renovate existing improvements thereon if:

(A) the work and material are contracted for in writing, with the consent of both spouses, in the case of a family homestead, given in the same manner as is required in making a sale and conveyance of the homestead;

(B) the contract for the work and material is not executed by the owner or the owner's spouse before the fifth day after the owner makes written application for any extension of credit for the work and material, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing;

(C) the contract for the work and material expressly provides that the owner may rescind the contract without penalty or charge within three days after the execution of the contract by all parties, unless the work and material are necessary to complete immediate repairs to conditions on the homestead property that materially affect the health or safety of the owner or person residing in the homestead and the owner of the homestead acknowledges such in writing; and

(D) the contract for the work and material is executed by the owner and the owner's spouse only at the office of a third-party lender making an extension of credit for the work and material, an attorney at law, or a title company;

(6) an extension of credit that:

(A) is secured by a voluntary lien on the homestead created under a written agreement with the consent of each owner and each owner's spouse;

(B) is of a principal amount that when added to the aggregate total of the outstanding principal balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of

the homestead on the date the extension of credit is made;

(C) is without recourse for personal liability against each owner and the spouse of each owner, unless the owner or spouse obtained the extension of credit by actual fraud;

(D) is secured by a lien that may be foreclosed upon only by a court order;

(E) does not require the owner or the owner's spouse to pay, in addition to any interest or any bona fide discount points used to buy down the interest rate, any fees to any person that are necessary to originate, evaluate, maintain, record, insure, or service the extension of credit that exceed, in the aggregate, two (2) percent of the original principal amount of the extension of credit, excluding fees for:

(i) an appraisal performed by a third party appraiser;

(ii) a property survey performed by a state registered or licensed surveyor;

(iii) a state base premium for a mortgagee policy of title insurance with endorsements established in accordance with state law; or

(iv) a title examination report if its cost is less than the state base premium for a mortgagee policy of title insurance without endorsements established in accordance with state law;

(F) is not a form of open-end account that may be debited from time to time or under which credit may be extended from time to time unless the open-end account is a home equity line of credit;

(G) is payable in advance without penalty or other charge;

(H) is not secured by any additional real or personal property other than the homestead;

(I) ~~(repealed) (is not secured by homestead property that on the date of closing is designated for agricultural use as provided by statutes governing property tax, unless such homestead property is used primarily for the production of milk);~~

(J) may not be accelerated because of a decrease in the market value of the homestead or because of the owner's default under other indebtedness not secured by a prior valid encumbrance against the homestead;

(K) is the only debt secured by the homestead at the time the extension of credit is made unless the other debt was made for a purpose described by Subsections (a)(1)-(a)(5) or Subsection (a)(8) of this section;

(L) is scheduled to be repaid:

(i) in substantially equal successive periodic installments, not more often than every 14 days and not less often than monthly, beginning no later than two months from the date the extension of credit is made, each of which equals or exceeds the amount of accrued interest as of the date of the scheduled installment; or

(ii) if the extension of credit is a home equity line of credit, in periodic payments described under Subsection (t)(8) of this section;

(M) is closed not before:

(i) the 12th day after the later of the date that the owner of the homestead submits a loan application to the lender for the extension of credit or the date that the lender provides the owner a copy of the notice prescribed by Subsection (g) of this section;

(ii) one business day after the date that the owner of the homestead receives a copy of the loan application if not previously provided and a final itemized disclosure of the actual fees, points, interest, costs, and charges that will be charged at closing. If a bona fide emergency or another good cause exists and the lender obtains the written consent of the owner, the lender may provide the documentation to the owner or the lender may

modify previously provided documentation on the date of closing;
and

(iii) the first anniversary of the closing date of any other extension of credit described by Subsection (a)(6) of this section secured by the same homestead property, except a refinance described by Paragraph (Q)(x)(f) of this subdivision, unless the owner on oath requests an earlier closing due to a state of emergency that:

(a) has been declared by the president of the United States or the governor as provided by law; and

(b) applies to the area where the homestead is located;

(N) is closed only at the office of the lender, an attorney at law, or a title company;

(O) permits a lender to contract for and receive any fixed or variable rate of interest authorized under statute;

(P) is made by one of the following that has not been found by a federal regulatory agency to have engaged in the practice of refusing to make loans because the applicants for the loans reside or the property proposed to secure the loans is located in a certain area:

(i) a bank, savings and loan association, savings bank, or credit union doing business under the laws of this state or the United States, including a subsidiary of a bank, savings and loan association, savings bank, or credit union described by this subparagraph;

(ii) a federally chartered lending instrumentality or a person approved as a mortgagee by the United States government to make federally insured loans;

(iii) a person licensed to make regulated loans, as provided by statute of this state;

(iv) a person who sold the homestead property to the current owner and who provided all or part of the financing for the purchase;

(v) a person who is related to the homestead property owner within the second degree of affinity or consanguinity; or

(vi) a person regulated by this state as a mortgage banker or mortgage company ~~(broker)~~; and

(Q) is made on the condition that:

(i) the owner of the homestead is not required to apply the proceeds of the extension of credit to repay another debt except debt secured by the homestead or debt to another lender;

(ii) the owner of the homestead not assign wages as security for the extension of credit;

(iii) the owner of the homestead not sign any instrument in which blanks relating to substantive terms of agreement are left to be filled in;

(iv) the owner of the homestead not sign a confession of judgment or power of attorney to the lender or to a third person to confess judgment or to appear for the owner in a judicial proceeding;

(v) at the time the extension of credit is made, the owner of the homestead shall receive a copy of the final loan application and all executed documents signed by the owner at closing related to the extension of credit;

(vi) the security instruments securing the extension of credit contain a disclosure that the extension of credit is the type of credit defined by Subsection (a)(6) of this section (Section 50(a)(6), Article XVI, Texas Constitution);

(vii) within a reasonable time after termination and full payment of the extension of credit, the lender cancel and return the promissory note to the owner of the homestead and give the owner, in recordable form, a release of the lien securing the extension of credit or a copy of an endorsement and assignment of the lien to a lender that is refinancing the

extension of credit:

(viii) the owner of the homestead and any spouse of the owner may, within three days after the extension of credit is made, rescind the extension of credit without penalty or charge;

(ix) the owner of the homestead and the lender sign a written acknowledgment as to the fair market value of the homestead property on the date the extension of credit is made;

(x) except as provided by Subparagraph (xi) of this paragraph, the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the lender or holder fails to comply with the lender's or holder's obligations under the extension of credit and fails to correct the failure to comply not later than the 60th day after the date the lender or holder is notified by the borrower of the lender's failure to comply by:

(a) paying to the owner an amount equal to any overcharge paid by the owner under or related to the extension of credit if the owner has paid an amount that exceeds an amount stated in the applicable Paragraph (E), (G), or (Q) of this subdivision;

(b) sending the owner a written acknowledgement that the lien is valid only in the amount that the extension of credit does not exceed the percentage described by Paragraph (B) of this subdivision, if applicable, or is not secured by property described under Paragraph (H) ~~(ex--(H))~~ of this subdivision, if applicable;

(c) sending the owner a written notice modifying any other amount, percentage, term, or other provision prohibited by this section to a permitted amount, percentage, term, or other provision and adjusting the account of the borrower to ensure that the borrower is not required to pay more than an amount permitted by this section and is not subject to any other term or provision prohibited by this section;

(d) delivering the required documents to the borrower if the lender fails to comply with Subparagraph (v) of this paragraph or obtaining the appropriate signatures if the lender fails to comply with Subparagraph (ix) of this paragraph;

(e) sending the owner a written acknowledgement, if the failure to comply is prohibited by Paragraph (K) of this subdivision, that the accrual of interest and all of the owner's obligations under the extension of credit are abated while any prior lien prohibited under Paragraph (K) remains secured by the homestead; or

(f) if the failure to comply cannot be cured under Subparagraphs (x)(a)-(e) of this paragraph, curing the failure to comply by a refund or credit to the owner of \$1,000 and offering the owner the right to refinance the extension of credit with the lender or holder for the remaining term of the loan at no cost to the owner on the same terms, including interest, as the original extension of credit with any modifications necessary to comply with this section or on terms on which the owner and the lender or holder otherwise agree that comply with this section; and

(xi) the lender or any holder of the note for the extension of credit shall forfeit all principal and interest of the extension of credit if the extension of credit is made by a person other than a person described under Paragraph (P) of this subdivision or if the lien was not created under a written agreement with the consent of each owner and each owner's spouse, unless each owner and each owner's spouse who did not initially consent subsequently consents;

(7) a reverse mortgage; or

(8) the conversion and refinance of a personal property lien secured by a manufactured home to a lien on real property, including the refinance of the purchase price of the manufactured home, the cost of installing the manufactured home on the real property, and the refinance of the purchase price of the real

property.

(f) A refinance of debt secured by the homestead, any portion of which is an extension of credit described by Subsection (a)(6) of this section, may not be secured by a valid lien against the homestead unless either:

(1) the refinance of the debt is an extension of credit described by Subsection (a)(6) or (a)(7) of this section; or

(2) all of the following conditions are met:

(A) the refinance is not closed before the first anniversary of the date the extension of credit was closed;

(B) the refinanced extension of credit does not include the advance of any additional funds other than:

(i) funds advanced to refinance a debt described by Subsections (a)(1) through (a)(7) of this section; or

(ii) actual costs and reserves required by the lender to refinance the debt;

(C) the refinance of the extension of credit is of a principal amount that when added to the aggregate total of the outstanding principal balances of all other indebtedness secured by valid encumbrances of record against the homestead does not exceed 80 percent of the fair market value of the homestead on the date the refinance of the extension of credit is made; and

(D) the lender provides the owner the following written notice on a separate document not later than the third business day after the date the owner submits the loan application to the lender and at least 12 days before the date the refinance of the extension of credit is closed:

"YOUR EXISTING LOAN THAT YOU DESIRE TO REFINANCE IS A HOME EQUITY LOAN. YOU MAY HAVE THE OPTION TO REFINANCE YOUR HOME EQUITY LOAN AS EITHER A HOME EQUITY LOAN OR AS A NON-HOME EQUITY LOAN, IF OFFERED BY YOUR LENDER.

"HOME EQUITY LOANS HAVE IMPORTANT CONSUMER PROTECTIONS. A LENDER MAY ONLY FORECLOSE A HOME EQUITY LOAN BASED ON A COURT ORDER. A HOME EQUITY LOAN MUST BE WITHOUT RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE.

"IF YOU HAVE APPLIED TO REFINANCE YOUR EXISTING HOME EQUITY LOAN AS A NON-HOME EQUITY LOAN, YOU WILL LOSE CERTAIN CONSUMER PROTECTIONS. A NON-HOME EQUITY REFINANCED LOAN:

"(1) WILL PERMIT THE LENDER TO FORECLOSE WITHOUT A COURT ORDER;

"(2) WILL BE WITH RECOURSE FOR PERSONAL LIABILITY AGAINST YOU AND YOUR SPOUSE; AND

"(3) MAY ALSO CONTAIN OTHER TERMS OR CONDITIONS THAT MAY NOT BE PERMITTED IN A TRADITIONAL HOME EQUITY LOAN.

"BEFORE YOU REFINANCE YOUR EXISTING HOME EQUITY LOAN TO MAKE IT A NON-HOME EQUITY LOAN, YOU SHOULD MAKE SURE YOU UNDERSTAND THAT YOU ARE WAIVING IMPORTANT PROTECTIONS THAT HOME EQUITY LOANS PROVIDE UNDER THE LAW AND SHOULD CONSIDER CONSULTING WITH AN ATTORNEY OF YOUR CHOOSING REGARDING THESE PROTECTIONS.

"YOU MAY WISH TO ASK YOUR LENDER TO REFINANCE YOUR LOAN AS A HOME EQUITY LOAN. HOWEVER, A HOME EQUITY LOAN MAY HAVE A HIGHER INTEREST RATE AND CLOSING COSTS THAN A NON-HOME EQUITY LOAN."

(f-1) A lien securing a refinance of debt under Subsection (f)(2) of this section is deemed to be a lien described by Subsection (a)(4) of this section. An affidavit executed by the owner or the owner's spouse acknowledging that the requirements of Subsection (f)(2) of this section have been met conclusively establishes that the requirements of Subsection (a)(4) of this section have been met.

(g) An extension of credit described by Subsection (a)(6) of this section may be secured by a valid lien against homestead property if the extension of credit is not closed before the 12th day after the lender provides the owner with the following written notice on a separate instrument:

"NOTICE CONCERNING EXTENSIONS OF CREDIT DEFINED BY SECTION 50(a)(6), ARTICLE XVI, TEXAS CONSTITUTION:

"SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION

"(3) NOT REQUIRE THAT YOU EXECUTE INSTRUMENTS WHICH HAVE

BLANKS FOR SUBSTANTIVE TERMS OF AGREEMENT LEFT TO BE FILLED IN;

"(4) NOT REQUIRE THAT YOU SIGN A CONFESSION OF JUDGMENT OR POWER OF ATTORNEY TO ANOTHER PERSON TO CONFESS JUDGMENT OR APPEAR IN A LEGAL PROCEEDING ON YOUR BEHALF;

"(5) PROVIDE THAT YOU RECEIVE A COPY OF YOUR FINAL LOAN APPLICATION AND ALL EXECUTED DOCUMENTS YOU SIGN AT CLOSING;

"(6) PROVIDE THAT THE SECURITY INSTRUMENTS CONTAIN A DISCLOSURE THAT THIS LOAN IS A LOAN DEFINED BY SECTION 50(a)(6), ARTICLE XVI, OF THE TEXAS CONSTITUTION;

"(7) PROVIDE THAT WHEN THE LOAN IS PAID IN FULL, THE LENDER WILL SIGN AND GIVE YOU A RELEASE OF LIEN OR AN ASSIGNMENT OF THE LIEN, WHICHEVER IS APPROPRIATE;

"(8) PROVIDE THAT YOU MAY, WITHIN 3 DAYS AFTER CLOSING, RESCIND THE LOAN WITHOUT PENALTY OR CHARGE;

"(9) PROVIDE THAT YOU AND THE LENDER ACKNOWLEDGE THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LOAN CLOSSES; AND

"(10) PROVIDE THAT THE LENDER WILL FORFEIT ALL PRINCIPAL AND INTEREST IF THE LENDER FAILS TO COMPLY WITH THE LENDER'S OBLIGATIONS UNLESS THE LENDER CURES THE FAILURE TO COMPLY AS PROVIDED BY SECTION 50(a)(6)(Q)(x), ARTICLE XVI, OF THE TEXAS CONSTITUTION; AND

"(R) IF THE LOAN IS A HOME EQUITY LINE OF CREDIT:

"(1) YOU MAY REQUEST ADVANCES, REPAY MONEY, AND REBORROW MONEY UNDER THE LINE OF CREDIT:

"(2) EACH ADVANCE UNDER THE LINE OF CREDIT MUST BE IN AN AMOUNT OF AT LEAST \$4,000;

"(3) YOU MAY NOT USE A CREDIT CARD, DEBIT CARD, OR SIMILAR DEVICE, OR PREPRINTED CHECK THAT YOU DID NOT SOLICIT, TO OBTAIN ADVANCES UNDER THE LINE OF CREDIT;

"(4) ANY FEES THE LENDER CHARGES MAY BE CHARGED AND COLLECTED ONLY AT THE TIME THE LINE OF CREDIT IS ESTABLISHED AND THE LENDER MAY NOT CHARGE A FEE IN CONNECTION WITH ANY ADVANCE;

"(5) THE MAXIMUM PRINCIPAL AMOUNT THAT MAY BE EXTENDED, WHEN ADDED TO ALL OTHER DEBTS SECURED BY YOUR HOME, MAY NOT EXCEED 80 PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME ON THE DATE THE LINE OF CREDIT IS ESTABLISHED;

"(6) IF THE PRINCIPAL BALANCE UNDER THE LINE OF CREDIT AT ANY TIME EXCEEDS 80 [50] PERCENT OF THE FAIR MARKET VALUE OF YOUR HOME, AS DETERMINED ON THE DATE THE LINE OF CREDIT IS ESTABLISHED, YOU MAY NOT CONTINUE TO REQUEST ADVANCES UNDER THE LINE OF CREDIT UNTIL THE BALANCE IS LESS THAN 80 [50] PERCENT OF THE FAIR MARKET VALUE; AND

"(7) THE LENDER MAY NOT UNILATERALLY AMEND THE TERMS OF THE LINE OF CREDIT.

"THIS NOTICE IS ONLY A SUMMARY OF YOUR RIGHTS UNDER THE TEXAS CONSTITUTION. YOUR RIGHTS ARE GOVERNED BY SECTION 50, ARTICLE XVI, OF THE TEXAS CONSTITUTION, AND NOT BY THIS NOTICE."

If the discussions with the borrower are conducted primarily in a language other than English, the lender shall, before closing, provide an additional copy of the notice translated into the written language in which the discussions were conducted.

(t) A home equity line of credit is a form of an open-end account that may be debited from time to time, under which credit may be extended from time to time and under which:

(1) the owner requests advances, repays money, and reborrows money;

(2) any single debit or advance is not less than \$4,000;

(3) the owner does not use a credit card, debit card, or similar device, or preprinted check unsolicited by the borrower, to obtain an advance;

(4) any fees described by Subsection (a)(6)(E) of this section are charged and collected only at the time the extension of credit is established and no fee is charged or collected in connection with any debit or advance;

(5) the maximum principal amount that may be extended under the account, when added to the aggregate total of the outstanding principal balances of all indebtedness secured by the

homestead on the date the extension of credit is established, does not exceed an amount described under Subsection (a)(6)(B) of this section;

(6) ~~(repealed) [no additional debits or advances are made if the total principal amount outstanding exceeds an amount equal to 50 percent of the fair market value of the homestead as determined on the date the account is established];~~

(7) the lender or holder may not unilaterally amend the extension of credit; and

(8) repayment is to be made in regular periodic installments, not more often than every 14 days and not less often than monthly, beginning not later than two months from the date the extension of credit is established, and:

(A) during the period during which the owner may request advances, each installment equals or exceeds the amount of accrued interest; and

(B) after the period during which the owner may request advances, installments are substantially equal.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, to establish a lower amount for expenses that can be charged to a borrower and removing certain financing expense limitation for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads.

(b) The constitutional amendment takes effect January 1, 2018.

(c) The changes in law made by the constitutional amendment apply only to a home equity loan made on or after the effective date of the constitutional amendment and to an existing home equity loan that is refinanced on or after the effective date of the constitutional amendment.

(d) This temporary provision takes effect on the adoption of the constitutional amendment by the voters and expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to establish a

lower amount for expenses that can be charged to a borrower and removing certain financing expense limitations for a home equity loan, establishing certain authorized lenders to make a home equity loan, changing certain options for the refinancing of home equity loans, changing the threshold for an advance of a home equity line of credit, and allowing home equity loans on agricultural homesteads."

STATE OF TEXAS PROPOSITION 3

S.J.R. No. 34

SENATE JOINT RESOLUTION

proposing a constitutional amendment limiting the service of certain officeholders after the expiration of the person's term of office.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 17, Article XVI, Texas Constitution, is amended to read as follows:

Sec. 17. (a) Except as provided by Subsection (b) of this section, all ~~[All]~~ officers of ~~[within]~~ this State shall continue to perform the duties of their offices until their successors shall be duly qualified.

(b) Following the expiration of a term of an appointive

office that is filled by appointment of the Governor with the advice and consent of the Senate and that is not an office for which the officer receives a salary, the period for which the officer shall continue to perform the duties of office under Subsection (a) of this section ends on the last day of the first regular session of the Legislature that begins after the expiration of the term.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment limiting the service of certain officeholders appointed by the governor and confirmed by the senate after the expiration of the person's term of office."

STATE OF TEXAS PROPOSITION 4

S.J.R. No. 6

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article V, Texas Constitution, is amended by adding Section 32 to read as follows:

Sec. 32. Notwithstanding Section 1, Article II, of this constitution, the legislature may:

(1) require a court in which a party to litigation files a petition, motion, or other pleading challenging the constitutionality of a statute of this state to provide notice to the attorney general of the challenge if the party raising the challenge notifies the court that the party is challenging the constitutionality of the statute; and

(2) prescribe a reasonable period, which may not exceed 45 days, after the provision of that notice during which the court may not enter a judgment holding the statute unconstitutional.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies with respect to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period, not to exceed 45 days, before the court may enter a judgment holding the statute unconstitutional.

(b) Section 402.010, Government Code, as added by Chapter 808 (H.B. 2425), Acts of the 82nd Legislature, Regular Session, 2011, and amended by Chapter 1162 (S.B. 392) and Chapter 1276 (H.B. 1435), Acts of the 83rd Legislature, Regular Session, 2013, is validated and effective on approval of the constitutional amendment described by Subsection (a) of this temporary provision and applies only to a petition, motion, or other pleading filed on or after January 1, 2018.

(c) This temporary provision expires January 2, 2018.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional."

STATE OF TEXAS PROPOSITION 5
HOUSE JOINT RESOLUTION

H.J.R. No. 100

proposing a constitutional amendment on professional sports team charitable foundations conducting charitable raffles.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47(d-1), Article III, Texas Constitution, is amended to read as follows:

(d-1) The Legislature by general law may permit a professional sports team charitable foundation to conduct charitable raffles under the terms and conditions imposed by general law. The law may authorize the charitable foundation to pay with the raffle proceeds reasonable advertising, promotional, and administrative expenses. A law enacted under this subsection applies ~~may apply~~ only to an entity ~~[that is]~~ defined as a professional sports team charitable foundation under that law ~~on January 1, 2016,~~ and may only allow charitable raffles to be conducted at games hosted at the home venue of the professional sports team associated with a professional sports team charitable foundation. In this subsection, "professional sports team" means:

(1) a team organized in this state that is a member of Major League Baseball, the National Basketball Association, the National Hockey League, the National Football League, Major League Soccer, the American Hockey League, the East Coast Hockey League, the American Association of Independent Professional Baseball, the Atlantic League of Professional Baseball, Minor League Baseball, the National Baseball Association Development League, the National Women's Soccer League, the Major Arena Soccer League, the United Soccer League, or the Women's National Basketball Association;

(2) a person hosting a motorsports racing team event sanctioned by the National Association for Stock Car Auto Racing (NASCAR), INDYCar, or another nationally recognized motorsports racing association at a venue in this state with a permanent seating capacity of not less than 75,000;

(3) an organization hosting a Professional Golf Association event; or

(4) any other professional sports team defined by law.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment on professional sports team charitable foundations conducting charitable raffles."

STATE OF TEXAS PROPOSITION 6
SENATE JOINT RESOLUTION

S.J.R. No. 1

proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1-b, Article VIII, Texas Constitution, is amended by adding subsections (o) and (p) to read as follows:

(o) The legislature by general law may provide that the surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption from ad valorem taxation of all or part of the market value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the death of the first responder. The legislature by general law may define "first responder" for purposes of this subsection and may prescribe additional eligibility requirements for the exemption authorized by this subsection.

(p) The legislature by general law may provide that a

surviving spouse who qualifies for and receives an exemption in accordance with Subsection (c) of this section and who subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to an exemption from ad valorem taxation of the subsequently qualified homestead in an amount equal to the dollar amount of the exemption from ad valorem taxation of the first homestead for which the exemption was received in accordance with Subsection (c) of this section in the last year in which the surviving spouse received the exemption in accordance with that subsection for that homestead if the surviving spouse has not remarried since the death of the first responder.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 85th Legislature, Regular Session, 2017, authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

(b) Sections 1-b(c) and (p), Article VIII, of this constitution take effect January 1, 2018, and apply only to a tax year beginning on or after that date.

(c) This temporary provision expires January 1, 2019.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty."

STATE OF TEXAS PROPOSITION 7
HOUSE JOINT RESOLUTION

H.J.R. No. 37

proposing a constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 47, Article III, Texas Constitution, is amended by adding Subsection (d-2) to read as follows:

(d-2) Subsection (a) of this section does not prohibit the legislature from authorizing credit unions and other financial institutions to conduct, under the terms and conditions imposed by general law, promotional activities to promote savings in which prizes are awarded to one or more of the credit union's or financial institution's depositors selected by lot.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2017.

The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment relating to legislative authority to permit credit unions and other financial institutions to award prizes by lot to promote savings."

(ORDER LIST: 582 U.S.)

TUESDAY, SEPTEMBER 12, 2017

ORDER IN PENDING CASE

17A225 ABBOTT, GOV. OF TX, ET AL. V. PEREZ, SHANNON, ET AL.

The application for stay presented to Justice Alito and by him referred to the Court is granted, and it is ordered that the order of the United States District Court for the Western District of Texas, case No. SA-11-CV-360, entered August 15, 2017, is stayed pending the timely filing and disposition of an appeal to this Court.

Justice Ginsburg, Justice Breyer, Justice Sotomayor, and Justice Kagan would deny the application.

(ORDER LIST: 582 U.S.)

TUESDAY, SEPTEMBER 12, 2017

ORDER IN PENDING CASE

17A245 ABBOTT, GOV. OF TX, ET AL. V. PEREZ, SHANNON, ET AL.

The application for stay presented to Justice Alito and by him referred to the Court is granted, and it is ordered that the order of the United States District Court for the Western District of Texas, case No. SA-11-CV-360, entered August 24, 2017, is stayed pending the timely filing and disposition of an appeal to this Court.

Justice Ginsburg, Justice Breyer, Justice Sotomayor, and Justice Kagan would deny the application.

Alexy Rios

From: Norma Fultz <nfultz@cityofrgc.com>
Sent: Thursday, September 14, 2017 12:06 PM
To: elections@co.starr.tx.us
Subject: Fwd: MASS EMAIL ADVISORY (Tx Public Libraries - 459) - Voter Registration Responsibilities
Attachments: image001.jpg; Library Memo 2017.pdf

John

It was good talking to you today. Here is the information we received about voter registration responsibilities from the Texas Secretary of State office.

Thank you
Norma

--

Norma Gomez Fultz, Director
Rio Grande City Public Library
591 E. Canales (3rd) St.
Rio Grande City, TX 78582
956-487-4389

----- Forwarded Message -----

From: Elections Internet <Elections@sos.texas.gov>
To: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, September 12, 2017, 3:30:12 PM CDT
Subject: MASS EMAIL ADVISORY (Tx Public Libraries - 459) - Voter Registration Responsibilities



TO: Texas Public Libraries

FROM: Keith Ingram, Director of Elections

DATE: September 12, 2017

RE: Voter Registration Responsibilities under the Federal NVRA and Chapter 20 of the Texas Election Code

As many of you are aware, the National Voter Registration Act of 1993 (NVRA) is a federal voting rights law, commonly referred to as the "Motor Voter" bill, that requires voter registration at state public assistance agencies and state or local government offices. The NVRA requires that each state designate offices to be voter registration agencies, such as libraries. 52 U.S.C. § 20506(a)(3).

Accordingly, Chapter 20 of the Texas Election Code designates various state agencies, including public libraries, as voter registration agencies. Specifically, Section 20.002(c) provides the following:

(c) Each public library, including any branch or other service outlet, is designated as a voter registration agency. In this chapter, "public library" means a library that:

- (1) is regularly open for business for more than 30 hours a week;
- (2) is operated by a single public agency or board;
- (3) is open without charge to all persons under identical conditions; and
- (4) receives its financial support wholly or partly from public funds.

If your library meets the above definition, then you are a designated voter registration agency and must provide to each person of voting age who applies in person for an original or renewal of a library card an opportunity to complete a voter registration application form, and may also be required to take various steps to ensure proper completion of the form by the applicant and submission of the form to the local voter registrar or to the SOS.

In order to facilitate this process, we have created a PowerPoint presentation, entitled "Implementing the National Voter Registration Act and Chapter 20 of the Texas Election Code," which you may use to better educate yourself and your employees about the voter registration requirements for public libraries.

Note that each public library must use the official voter registration application form prescribed by the Secretary of State. We have included a reasonable number of pre-addressed voter registration applications that contain the Secretary of State's mailing address on the Business Reply Mailing label. Orders for additional applications must be made through the Secretary of State's office. An order form is enclosed.

If you have any questions about this procedure, the enclosed voter registration applications, or the PowerPoint presentation, please don't hesitate to email Louri O'Leary at loleary@sos.texas.gov, Andria Perales at aperales@sos.texas.gov, or contact us by phone at 1-800-252-8683.

Keith Ingram

Director, Elections Division

Office of the Secretary of State

800-252-VOTE(8683)

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: Texas Public Libraries

FROM: Keith Ingram, Director of Elections 

DATE: September 12, 2017

RE: Voter Registration Responsibilities under the Federal NVRA and Chapter 20 of the Texas Election Code

As many of you are aware, the National Voter Registration Act of 1993 (NVRA) is a federal voting rights law, commonly referred to as the "Motor Voter" bill, that requires voter registration at state public assistance agencies and state or local government offices. The NVRA requires that each state designate offices to be voter registration agencies, such as libraries. 52 U.S.C. § 20506(a)(3).

Accordingly, Chapter 20 of the Texas Election Code designates various state agencies, including public libraries, as voter registration agencies. Specifically, Section 20.002(c) provides the following:

- (c) Each public library, including any branch or other service outlet, is designated as a voter registration agency. In this chapter, "public library" means a library that:
- (1) is regularly open for business for more than 30 hours a week;
 - (2) is operated by a single public agency or board;
 - (3) is open without charge to all persons under identical conditions; and
 - (4) receives its financial support wholly or partly from public funds.

If your library meets the above definition, then you are a designated voter registration agency and must provide to each person of voting age who applies in person for an original or renewal of a library card an opportunity to complete a voter registration application form, and may also be required to take various steps to ensure proper completion of the form by the applicant and submission of the form to the local voter registrar or to the SOS.

In order to facilitate this process, we have created a PowerPoint presentation, entitled "Implementing the National Voter Registration Act and Chapter 20 of the Texas Election Code," which you may use to better educate yourself and your employees about the voter registration requirements for public libraries.

Note that each public library must use the official voter registration application form prescribed by the Secretary of State. We have included a reasonable number of pre-addressed voter registration applications that contain the Secretary of State's mailing address on the Business Reply Mailing label. Orders for additional applications must be made through the Secretary of State's office. An order form is enclosed.

If you have any questions about this procedure, the enclosed voter registration applications, or the PowerPoint presentation, please don't hesitate to email Louri O'Leary at loleary@sos.texas.gov, Andria Perales at aperales@sos.texas.gov, or contact us by phone at 1-800-252-8683.

BKI:CG:TJ

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 20, 2017 9:49 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--45 day deadline

Dear Election Officials,

As you recall, the legislature has amended Texas Election Code 101.104 to allow for FPCA voters to receive blank ballots by email for all elections. **This means that you should send out your ballots to any FPCA voters for this November no later than September 23, 2017.**

You have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline, you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

Instructions for Emailing Ballots

Any voter who submits a Federal Postcard Application ("FPCA") and requests that the ballot be emailed, must be emailed a blank official ballot.

Here are the links to FPCA email instructions which we encourage you to use and modify as necessary for your county:

- [Instructions to the early voting clerk](#)
- [Instructions to voter](#)
- [Signature Sheet \(PDF\)](#)
- [Notice of Returned Emailed Ballot](#)
- [MOVE ACT FAQ](#)

Please let me know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 20, 2017 1:21 PM
To: Elections Internet
Subject: MASS EMAIL to VR/EA, Printers, Offline Vendors (Totals: 698) 2017 Voter Registration Certificate Directive and PDF Layouts
Attachments: DIRECTIVEVR2017- final.pdf; Voter Registration Certificate_B1-9(3B)-IN3_2017.pdf; Voter Registration Certificate_B1-9(3NB)-IN3_2017.pdf

To all Voter Registrars, Election Administrators, Printers, and Offline County Vendors:

Attached is the 2017 Directive for Voter Registration Certificates with the PDF formats attached. If you are an Online County using TEAM, you will purchase the new orange voter registration certificates without boxes. TEAM prints the boxes for the jurisdiction. As always, if we can be of further assistance, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1. Thank you.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

DIRECTIVE

TO: Voter Registrars

FROM: Keith Ingram, Director of Elections 

SUBJECT: Voter Registration Certificate

AUTHORITY: Texas Election Code Sections 31.002 and 31.003

EFFECTIVE DATE: September 20, 2017

**SUPERSEDED
DIRECTIVE:** Secretary of State Directive of August 27, 2015

1. SUMMARY AND PURPOSE

1.1. In accordance with Texas Election Code Section 31.003, this directive establishes the requirements for voter registrars to issue voter registration certificates.

2. DESCRIPTION OF CERTIFICATE

2.1. NO CHANGES AUTHORIZED UNLESS APPROVED BY THE SECRETARY OF STATE. The certificate has been designed to meet the content requirements of Texas Election Code Sections 15.001, 15.002, and 15.003, Texas Administrative Code, Title 1, Part 4, Chapter 81, Subchapter A, RULE §81.10, bilingual requirements of the Federal Voting Rights Act, 42 U.S.C.A. Section 1973aa-1a, the mailing requirements of Texas Election Code Sections 14.001 and 14.002, and regulations of the United States Postal Service regarding size, thickness of paper, address placement, and postage. Various other exigencies such as horizontal and vertical spacing for computers have been considered. To avoid any possible violations of state or federal law, no change to the specifications of the certificate, as provided by this directive, may be made without prior written approval by this office.

Pursuant to Section 15.001 of the Texas Election Code, voter registrars must place the jurisdictional or distinguishing number for the following seven territorial units in which the voter resides: 1. United States Representative; 2. State Senate; 3. State Representative; 4. County Commissioner; 5. Justice of the Peace; 6. City district code; and 7. School district code on the certificate. Section 15.002 authorizes, but does not require, the voter registrar to place up to seven additional jurisdictional designations on the certificate. The Secretary of State has prescribed a certificate with ten boxes for placement of district information, seven for the required districts and three for the optional districts. This format has been approved by the Postmaster in Austin. Our office recommends that the local postmaster approve the placement of district numbers on the certificate

prior to printing if you are using any other format than the one prescribed. Any combination of the three optional district codes may be chosen by the voter registrar for inclusion on the certificate without prior approval.

The TEAM System prints the mandatory seven jurisdictions and provides an option to print up to three more jurisdictions on the certificate. TEAM will preprint the boxes on the certificates as well as the jurisdiction type. The boxes with voter unique identifier (VUID), year of birth, and valid from date, will also be printed by TEAM and not preprinted on the card stock by your printer. There are two layouts, one for TEAM counties who will actually use TEAM to print voter information on the certificate and one for offline counties and TEAM counties who will contract with a private vendor to print voter data on the certificates. Offline counties must use the layout of the form enclosed but if they wish to print the maximum 14 jurisdictional boxes, they will have to work with their local postmaster on the design.

The Secretary of State has authorized the printing of the 10 digit VUID number in a barcode format in addition to a numeric-value format. The numeric-value format of the VUID number must be printed in the box specifically provided for the VUID number. The barcode-format number may be placed anywhere on the card as long as it does not interfere with postal regulations, and nothing is deleted from the card as prescribed. It is recommended that a universal-product barcode be used rather than the type of barcode that is used for zip codes, which is an intelligent mail barcode. . Again, for placement of a barcode-format VUID number, you must coordinate the printing with the postmaster to ensure that it complies with other postal requirements. TEAM will default to print the barcode of the VUID above the name of the voter on the mailing address side of the certificate.

2.2 SIZE. The postcard certificate is 4 1/8" x 6." The postcard is sized to accommodate space for barcoding the zip code. Even if you do not plan to barcode the zip code on the certificate prior to mailing, you must ensure sufficient room for the barcode strip area because the post office will prepare the mail piece for automation by placing a barcode strip which includes delivery point validation on the certificate. The counties will not receive any postal discount if the post office has to barcode the mail piece. The post office has advised our office not to print any type of barcode for the zip code if it is only going to be the 5 digit or 9 digit zip code.

Counties using the Secretary of State's TEAM system must print their certificates exactly as shown on the attached sample(s). The layout of the certificate must be exactly as shown on the sample. If a laser printer is used, the certificates must be printed on an 8½" x 14" sheet of paper with a 1" gripper at the top and a 1/4" margin on the left side of the paper. Counties using the on-line system cannot barcode the zip code. It is imperative that your printer uses the Secretary of State's layout of the certificate to ensure proper placement of information. Since the TEAM system will be printing the boxes, box types, and jurisdictional numbers, the alignment of information should not be an issue. Please ask your printer to send a proof of your certificate for layout purposes before they are printed to our office for pre-approval. We encourage you to send us your proofs in order to ensure that they are compatible with the TEAM system.

2.3. COLOR AND PAPER SPECIFICATIONS. The color for the 2018-2019 certificate is Pantone 107U (Yellow). The stock is white index or the equivalent. To meet postal requirements, the paper must be **at least** .007" thick and not more than .016" thick. The sample attached is printed on #110 index. When paper is manufactured, there can be a variance in the thickness of the paper, so be sure to state in the specifications that the paper must meet postal requirements for calibration. The front side of the certificate is to be printed with Pantone 107U (Yellow) color. The language on the certificate will be in black ink. Using the Pantone 107U (Yellow) to "color" the paper will

ensure that all certificates are printed uniformly across the state. The backside of the certificate may be printed either with the Pantone 107U (Yellow) color or left plain white. The sample attached shows the area that is to be printed in Pantone 107U (Yellow) at 100% solid.

2.4 FORMAT. The voter registrar's name, telephone number, and return address must be printed in the upper left-hand corner above the dotted line. Modules 202.4.3 and 202.4.4 of the Domestic Mail Manual ("D.M.M.") requires the postal endorsement "RETURN SERVICE REQUESTED" to be placed ¼" below the return address. The word "Postmaster" is NOT used in conjunction with the endorsement. See Section 3 of this directive for further discussion. "Secretary of State's Office, Elections Division" and the Secretary of State's toll-free number (1-800-252-8683) must be printed directly across from the voter registrar's name and address, as indicated on the attached sample card. The name of the voter registrar's county must be printed directly below the words "Voter Registration Certificate" as indicated on the attached sample card. The state seal is placed to the left of the name of the county. Counties using the Secretary of State's TEAM system must have the county name and the voter registrar's return address and phone number preprinted on the certificate card stock. It is recommended that all counties use a non-bold, 4pt sans-serif font for the return address information.

2.5. VOID NUMBER. Use the ten-digit VOID number already assigned to the voter.

2.6. VALID FROM-THRU. The "VALID FROM" date on all renewal certificates issued to registered voters is JANUARY 1, 2018. The certificate will expire on DECEMBER 31, 2019, and that date shall appear on the certificate below "THRU." See Section 3.3 of this directive for the period for mailing renewal certificates.

New registrants whose applications are received and accepted after the 30TH DAY BEFORE JANUARY 1, 2018 will be issued an initial certificate, and the "VALID FROM" date on the certificate is the same as the effective date of registration. Renewal certificates need not be issued in this instance. See Section 5 of this directive for information regarding new registrants whose registrations will be effective on or after NOVEMBER 15, 2017, but before JANUARY 1, 2018.

For a voter who changes his or her name or changes his or her address, the "VALID FROM" date on the corrected certificate is the date the change becomes effective. These changes become effective on the 30th day after the voter registrar receives notice of the change.

If a registered voter requests a replacement certificate because his or her original certificate has been lost or destroyed, the "VALID FROM" date on the replacement certificate is the same as the date on the certificate that is being replaced. The replacement certificate must have a notation that it is a replacement certificate. The word "replacement" should be printed vertically below the seal.

2.7. INFORMATION ON CERTIFICATE. Texas Administrative Rule §81.10 outlines the requirements regarding the name of the Voter to print on the Voter Registration Certificate. Section 15.001, Election Code requires that "Each voter registration certificate issued must contain the voter's name in the form indicated by the voter, subject to applicable requirements prescribed by Section 13.002. By rule of the secretary of state: (a) The phrase "(t)he voter's name in the form indicated by the voter" in Texas Election Code §15.001 shall not be read to include a former name provided by the voter on the voter registration application; and (b) The voter's name as it appears on the voter registration certificate shall reflect the information provided by the voter on the most recent application supplied by that voter to the voter registrar. The name on the voter registration certificate shall be restricted to first name, middle name (if

any is supplied by the voter on the most recent application), and last name (including suffix, if any)." The voter registrar may also include abbreviations of names indicated on the voter registration application. The name of the voter printed on the certificate must be sufficient for the election judge to be able to identify the voter. For instance, the voter registrar may not routinely print "P.D. Smith" if the voter has indicated on his application the name "Paul David Smith." Nicknames may not be used unless the voter indicated a nickname as his or her name on the application. The year of birth (not birth date) and election precinct number must be indicated on the certificate, as well as the permanent residence address (and the mailing address, if these two addresses are different). The voter registrar will print the mailing address on the right-hand side of the card. The permanent residence address or a concise description of the location of the permanent residence must be printed on the left-hand portion of the certificate. If the complete descriptive address will not fit on the certificate, then the address may be truncated.

The certificate may include a designation of gender if gender has been provided on the application. If gender is not provided on the application, either leave the field blank or specify "U" in the gender field on the voter registration certificate to indicate it was unspecified. The TEAM System prints the gender information, including the "U" designation, in a preprinted box on the certificates. Offline counties may use the space designated for Gender to print the county's internal Legacy ID registration number but would need to obtain pre-approval from the Secretary of State. To obtain approval for this alteration a sample certificate with the proposed modification should be provided.

2.8 BACK OF CERTIFICATE. The prescribed language on the back of the certificate instructs the voter concerning the requirements that may be required at the polling place and instructs the voter to correct information on the front of the card by making corrections in the space provided on the back of the certificate. The Secretary of State by this directive requires that the information be printed on the back of the certificate as shown on the attached sample. Changes in the prescribed text are not permitted without prior written approval of this office.

2.9. PARTY AFFILIATION. The space for stamping party affiliation is placed vertically on the front of the certificate.

2.10. AREA FOR POSTAL INFORMATION. The right half of the front of the certificate must be left blank, except for mailing address and postage, barcode for VUID and information in the shaded yellow area. Information that is printed in the address area of the certificate must have a 1/8" clear space around the name and address. See Section 2.1 of this directive for exceptions.

3. MAILING OF CERTIFICATE

3.1. POSTAGE. The voter registrar mails the certificate with first-class postcard postage or, if mailed in an envelope, first-class-letter postage. The Texas Election Code requires that the certificate be mailed by nonforwardable mail. The voter's tax statement may not be included in the same envelope.

Module 202.4.4 of the Domestic Mail Manual provides for the endorsement to the postmaster on the certificate. The endorsement must be printed in at least 8pt. type and must appear at least 1/4" below the voter registrar's return address. There must also be a 1/4"-clear space below the endorsement. The attached sample of the certificate shows the correct placement of the endorsement. The certificate will be returned free of charge to the voter registrar when mailed at either first-class postcard or first-class letter rate. The voter registrar will receive an address correction at no extra charge when the certificate is returned with the endorsement "RETURN SERVICE REQUESTED."

There is no charge for this service since the new address will appear on the original mail piece. (DMM Exhibit 1.5.1, Domestic Mail Manual)

If an envelope is used to mail the voter registration certificate, the instruction to the postmaster, "RETURN SERVICE REQUESTED," must be printed on the front of the envelope at least ¼" below the return address of the voter registrar. There must also be a clear space of ¼" below the endorsement.

Postage must be paid from the county's budget. The Secretary of State is not authorized to pay for the mailing of the certificates. Funds received under Sections 19.001-19.006 of the Texas Election Code **may not** be used for payment of postage for mailing certificates. Funds received from the Secretary of State and maintained by the voter registrar or post office in the voter registration application business reply account (Permit 4511) **may not** be used to pay for mailing voter registration certificates.

The certificates may be mailed at a lower first-class-postage rate, for example, by carrier route or barcoding the zip code. To take advantage of the lower postage rate, the mailing list must be certified that it has been updated within 95 days of the mailing. Contact your local postmaster for various ways to prepare your mailing to obtain the lowest possible postal rate.

3.2. POSTAL REQUIREMENTS FOR POSTCARDS. If the certificates will be mailed as postcards rather than in envelopes, certain postal requirements must be met.

Any preprinted information on the right-hand side of the card must be shaded. (See attached sample certificate and Domestic Mail Manual 201.1.2.6) The area reserved for the address is white and must be at least 2 1/8" long and 1" high. The U.S. Post Office requires all certificates mailed as postcards to be presorted.

3.3. COORDINATION WITH LOCAL POSTAL AUTHORITIES. The voter registrar should coordinate with the local postmaster before the mailing date. Postal regulations have become very complicated, and we highly recommend that the local postmaster be consulted prior to printing the certificates.

3.4. MAILING DATE. The voter registrar shall issue a voter registration renewal certificate to each voter in the county in Active Status whose registration is effective on the preceding NOVEMBER 14. The mailing shall occur between NOVEMBER 15 and DECEMBER 5 of each odd-numbered year.

4. DUPLICATE CERTIFICATES

4.1. DUPLICATE CERTIFICATE FILES. Texas Election Code Section 15.143 provides a method for the voter registrar to maintain the active or inactive duplicate-certificate file on electronic data processing equipment. Evidence of the mailing must be maintained in a retrievable format. The data must include the name and address to which the certificate was sent and the ten digit VUID number. This is maintained in the Active Certificate files at the county office and is not maintained in TEAM. TEAM will include a note in the audit history of all voters, regardless of the status, that the voter record was updated as part of the Mass Mail Out. As a reminder, all voters in an Active, Suspense, or Cancelled status will have the Valid From Date updated to the 2018-2019 biennial cycle when the Mass Mail Out is run. This is to ensure clerical corrections or

reinstatements correctly display the Valid From Date information. The audit history information in TEAM should not be used to determine whether or not a certificate was issued.

5. NEW REGISTRATIONS

5.1. BEFORE EFFECTIVE DATE. Persons who register to vote whose registrations will become effective after NOVEMBER 14, 2017, and before JANUARY 1, 2018, may be issued initial certificates for the remainder of the voting year (Blue certificate). The "VALID FROM" date on the initial (blue) certificate is the effective date of registration, and the "THRU" date is DECEMBER 31, 2017. The voter registrar must issue renewal certificates (Yellow certificate) to the voters. The "VALID FROM" date on the renewal certificate will be JANUARY 1, 2018, and the "THRU" date will be DECEMBER 31, 2019. The duplicate of the initial certificate for the remainder of the voting year should be filed in the duplicate-certificate file or in electronic format as discussed above. Proof of issuing a renewal certificate is required, and instructions in Section 4 of this directive should be followed to provide such proof.

6. "SUSPENSE" VOTERS

6.1. Voters who have been mailed a confirmation notice prior to the Mass Mail Out but failed to respond to the notice are designated with an "S" on the list of registered voters. These voters are **NOT** mailed a renewal certificate.

6.2. If a voter responds to the confirmation mailing after the Mass Mail Out, correct the voter's registration information, remove the "S" designation, and mail the voter a renewal certificate with the new information.

7. RETURNED CERTIFICATES

7.1. CONFIRMATION NOTICE. In accordance with Section 14.023, Election Code, the voter registrar is required to mail, after January 1, 2018 but no later than March 1, 2018, a confirmation notice and response form to each voter whose renewal certificate was returned as undeliverable. If the post office provided a forwarding address on the returned certificate, the confirmation notice and response form must be mailed to the address given. If the post office did not provide a forwarding address, the confirmation notice and response form must be mailed to the last known mailing address of the voter. In any case, the confirmation notice and response form must be mailed by forwardable mail.

7.2. DESIGN. The Secretary of State has prescribed the wording of the confirmation notice and response form, but has left the design for printing to the voter registrar's discretion. Coordinate with the postmaster to determine the most efficient way to mail the confirmation notices and receive the response forms.

8. APPROVAL

8.1. SECRETARY OF STATE APPROVAL. Issued this 20th day of September, 2017.

Rolando B. Pablos
Secretary of State

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED



VOTER REGISTRATION CERTIFICATE
(Certificado de Registro Electoral)
COUNTY (Condado)

X

VOTER MUST PERSONALLY SIGN HEREIN NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede.)

Party Affiliation
(Partido Político)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED



VOTER REGISTRATION CERTIFICATE
(Certificado de Registro Electoral)
COUNTY (Condado)

X

VOTER MUST PERSONALLY SIGN HEREIN NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede.)

Party Affiliation
(Partido Político)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

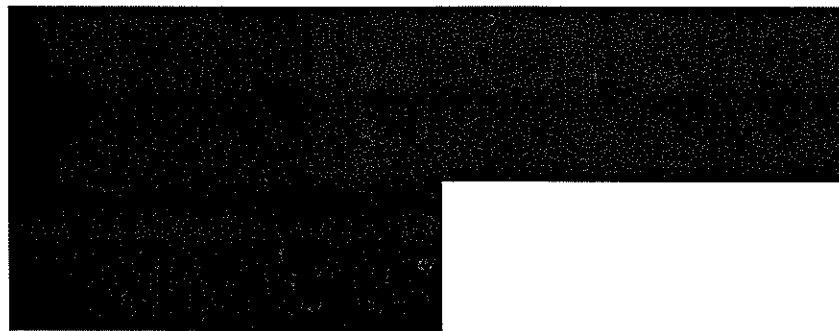
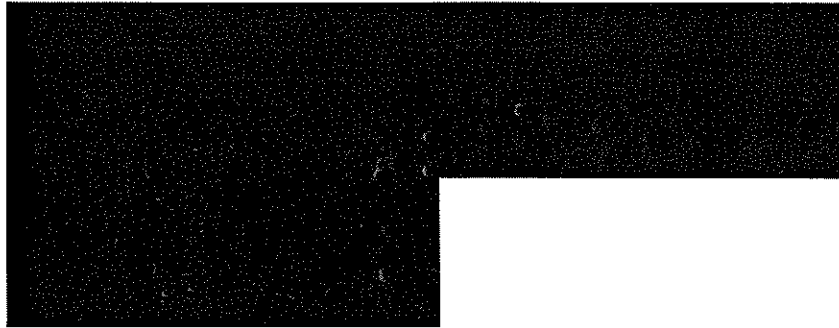


VOTER REGISTRATION CERTIFICATE
(Certificado de Registro Electoral)
COUNTY (Condado)

X

VOTER MUST PERSONALLY SIGN HEREIN NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede.)

Party Affiliation
(Partido Político)



Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made in the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

Voter Registration Certificate (Certificado de Registro Electoral)		
COUNTY (Condado)		
VUID (VUID)	Gender (Sexo)	Valid from (Válido desde)
Year of Birth (Año de Nacimiento)	Prec. No. (Num. Pcto.)	thru (hasta)
Name and Permanent Residence Address (Nombre y dirección residencial permanente)		
Name and Mailing Address (Nombre y dirección de correo)		

X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede)

Party Affiliation (Afiliación del Partido)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

Voter Registration Certificate (Certificado de Registro Electoral)		
COUNTY (Condado)		
VUID (VUID)	Gender (Sexo)	Valid from (Válido desde)
Year of Birth (Año de Nacimiento)	Prec. No. (Num. Pcto.)	thru (hasta)
Name and Permanent Residence Address (Nombre y dirección residencial permanente)		
Name and Mailing Address (Nombre y dirección de correo)		

X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede)

Party Affiliation (Afiliación del Partido)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

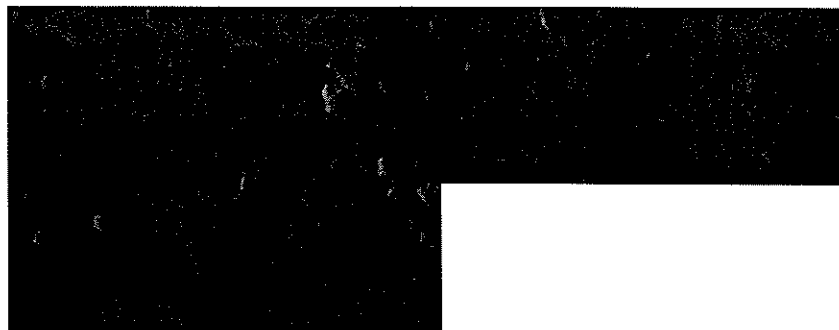
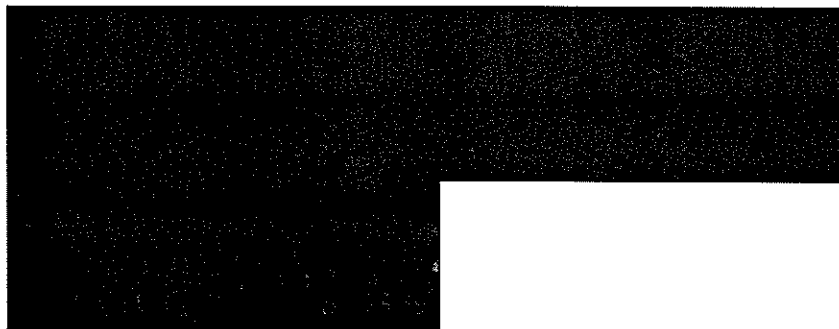
RETURN SERVICE REQUESTED

Voter Registration Certificate (Certificado de Registro Electoral)		
COUNTY (Condado)		
VUID (VUID)	Gender (Sexo)	Valid from (Válido desde)
Year of Birth (Año de Nacimiento)	Prec. No. (Num. Pcto.)	thru (hasta)
Name and Permanent Residence Address (Nombre y dirección residencial permanente)		
Name and Mailing Address (Nombre y dirección de correo)		

X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede)

Party Affiliation (Afiliación del Partido)



Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.vote texas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you **must** re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.vote texas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.vote texas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, **deberá** volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.vote texas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.vote texas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you **must** re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.vote texas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.vote texas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, **deberá** volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.vote texas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.vote texas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you **must** re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.vote texas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.vote texas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, **deberá** volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.vote texas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 20, 2017 1:35 PM
To: Elections Internet
Subject: FW: MASS EMAIL to VR/EA, Printers, Offline Vendors (Totals: 698) 2017 Voter Registration Certificate Directive and PDF Layouts
Attachments: DIRECTIVEVR2017- final.pdf; Voter Registration Certificate_B1-9(3B)-IN3_2017.pdf; Voter Registration Certificate_B1-9(3NB)-IN3_2017.pdf

Sorry. I meant yellow below.

From: Elections Internet
Sent: Wednesday, September 20, 2017 1:19 PM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL to VR/EA, Printers, Offline Vendors (Totals: 698) 2017 Voter Registration Certificate Directive and PDF Layouts

To all Voter Registrars, Election Administrators, Printers, and Offline County Vendors:

Attached is the 2017 Directive for Voter Registration Certificates with the PDF formats attached. If you are an Online County using TEAM, you will purchase the new yellow voter registration certificates without boxes. TEAM prints the boxes for the jurisdiction. As always, if we can be of further assistance, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1. Thank you.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

DIRECTIVE

TO: Voter Registrars

FROM: Keith Ingram, Director of Elections 

SUBJECT: Voter Registration Certificate

AUTHORITY: Texas Election Code Sections 31.002 and 31.003

EFFECTIVE DATE: September 20, 2017

SUPERSEDED DIRECTIVE: Secretary of State Directive of August 27, 2015

1. SUMMARY AND PURPOSE

1.1. In accordance with Texas Election Code Section 31.003, this directive establishes the requirements for voter registrars to issue voter registration certificates.

2. DESCRIPTION OF CERTIFICATE

2.1. NO CHANGES AUTHORIZED UNLESS APPROVED BY THE SECRETARY OF STATE. The certificate has been designed to meet the content requirements of Texas Election Code Sections 15.001, 15.002, and 15.003, Texas Administrative Code, Title 1, Part 4, Chapter 81, Subchapter A, RULE §81.10, bilingual requirements of the Federal Voting Rights Act, 42 U.S.C.A. Section 1973aa-1a, the mailing requirements of Texas Election Code Sections 14.001 and 14.002, and regulations of the United States Postal Service regarding size, thickness of paper, address placement, and postage. Various other exigencies such as horizontal and vertical spacing for computers have been considered. To avoid any possible violations of state or federal law, no change to the specifications of the certificate, as provided by this directive, may be made without prior written approval by this office.

Pursuant to Section 15.001 of the Texas Election Code, voter registrars must place the jurisdictional or distinguishing number for the following seven territorial units in which the voter resides: 1. United States Representative; 2. State Senate; 3. State Representative; 4. County Commissioner; 5. Justice of the Peace; 6. City district code; and 7. School district code on the certificate. Section 15.002 authorizes, but does not require, the voter registrar to place up to seven additional jurisdictional designations on the certificate. The Secretary of State has prescribed a certificate with ten boxes for placement of district information, seven for the required districts and three for the optional districts. This format has been approved by the Postmaster in Austin. Our office recommends that the local postmaster approve the placement of district numbers on the certificate

prior to printing if you are using any other format than the one prescribed. Any combination of the three optional district codes may be chosen by the voter registrar for inclusion on the certificate without prior approval.

The TEAM System prints the mandatory seven jurisdictions and provides an option to print up to three more jurisdictions on the certificate. TEAM will preprint the boxes on the certificates as well as the jurisdiction type. The boxes with voter unique identifier (VUID), year of birth, and valid from date, will also be printed by TEAM and not preprinted on the card stock by your printer. There are two layouts, one for TEAM counties who will actually use TEAM to print voter information on the certificate and one for offline counties and TEAM counties who will contract with a private vendor to print voter data on the certificates. Offline counties must use the layout of the form enclosed but if they wish to print the maximum 14 jurisdictional boxes, they will have to work with their local postmaster on the design.

The Secretary of State has authorized the printing of the 10 digit VUID number in a barcode format in addition to a numeric-value format. The numeric-value format of the VUID number must be printed in the box specifically provided for the VUID number. The barcode-format number may be placed anywhere on the card as long as it does not interfere with postal regulations, and nothing is deleted from the card as prescribed. It is recommended that a universal-product barcode be used rather than the type of barcode that is used for zip codes, which is an intelligent mail barcode. . Again, for placement of a barcode-format VUID number, you must coordinate the printing with the postmaster to ensure that it complies with other postal requirements. TEAM will default to print the barcode of the VUID above the name of the voter on the mailing address side of the certificate.

2.2 SIZE. The postcard certificate is 4 1/8" x 6." The postcard is sized to accommodate space for barcoding the zip code. Even if you do not plan to barcode the zip code on the certificate prior to mailing, you must ensure sufficient room for the barcode strip area because the post office will prepare the mail piece for automation by placing a barcode strip which includes delivery point validation on the certificate. The counties will not receive any postal discount if the post office has to barcode the mail piece. The post office has advised our office not to print any type of barcode for the zip code if it is only going to be the 5 digit or 9 digit zip code.

Counties using the Secretary of State's TEAM system must print their certificates exactly as shown on the attached sample(s). The layout of the certificate must be exactly as shown on the sample. If a laser printer is used, the certificates must be printed on an 8½" x 14" sheet of paper with a 1" gripper at the top and a 1¼" margin on the left side of the paper. Counties using the on-line system cannot barcode the zip code. It is imperative that your printer uses the Secretary of State's layout of the certificate to ensure proper placement of information. Since the TEAM system will be printing the boxes, box types, and jurisdictional numbers, the alignment of information should not be an issue. Please ask your printer to send a proof of your certificate for layout purposes before they are printed to our office for pre-approval. We encourage you to send us your proofs in order to ensure that they are compatible with the TEAM system.

2.3. COLOR AND PAPER SPECIFICATIONS. The color for the 2018-2019 certificate is Pantone 107U (Yellow). The stock is white index or the equivalent. To meet postal requirements, the paper must be **at least** .007" thick and not more than .016" thick. The sample attached is printed on #110 index. When paper is manufactured, there can be a variance in the thickness of the paper, so be sure to state in the specifications that the paper must meet postal requirements for calibration. The front side of the certificate is to be printed with Pantone 107U (Yellow) color. The language on the certificate will be in black ink. Using the Pantone 107U (Yellow) to "color" the paper will

DIRECTIVE

Page 3

ensure that all certificates are printed uniformly across the state. The backside of the certificate may be printed either with the Pantone 107U (Yellow) color or left plain white. The sample attached shows the area that is to be printed in Pantone 107U (Yellow) at 100% solid.

2.4 FORMAT. The voter registrar's name, telephone number, and return address must be printed in the upper left-hand corner above the dotted line. Modules 202.4.3 and 202.4.4 of the Domestic Mail Manual ("D.M.M.") requires the postal endorsement "RETURN SERVICE REQUESTED" to be placed ¼" below the return address. The word "Postmaster" is NOT used in conjunction with the endorsement. See Section 3 of this directive for further discussion. "Secretary of State's Office, Elections Division" and the Secretary of State's toll-free number (1-800-252-8683) must be printed directly across from the voter registrar's name and address, as indicated on the attached sample card. The name of the voter registrar's county must be printed directly below the words "Voter Registration Certificate" as indicated on the attached sample card. The state seal is placed to the left of the name of the county. Counties using the Secretary of State's TEAM system must have the county name and the voter registrar's return address and phone number preprinted on the certificate card stock. It is recommended that all counties use a non-bold, 4pt sans-serif font for the return address information.

2.5. VOID NUMBER. Use the ten-digit VOID number already assigned to the voter.

2.6. VALID FROM-THRU. The "VALID FROM" date on all renewal certificates issued to registered voters is JANUARY 1, 2018. The certificate will expire on DECEMBER 31, 2019, and that date shall appear on the certificate below "THRU." See Section 3.3 of this directive for the period for mailing renewal certificates.

New registrants whose applications are received and accepted after the 30TH DAY BEFORE JANUARY 1, 2018 will be issued an initial certificate, and the "VALID FROM" date on the certificate is the same as the effective date of registration. Renewal certificates need not be issued in this instance. See Section 5 of this directive for information regarding new registrants whose registrations will be effective on or after NOVEMBER 15, 2017, but before JANUARY 1, 2018.

For a voter who changes his or her name or changes his or her address, the "VALID FROM" date on the corrected certificate is the date the change becomes effective. These changes become effective on the 30th day after the voter registrar receives notice of the change.

If a registered voter requests a replacement certificate because his or her original certificate has been lost or destroyed, the "VALID FROM" date on the replacement certificate is the same as the date on the certificate that is being replaced. The replacement certificate must have a notation that it is a replacement certificate. The word "replacement" should be printed vertically below the seal.

2.7. INFORMATION ON CERTIFICATE. Texas Administrative Rule §81.10 outlines the requirements regarding the name of the Voter to print on the Voter Registration Certificate. Section 15.001, Election Code requires that "Each voter registration certificate issued must contain the voter's name in the form indicated by the voter, subject to applicable requirements prescribed by Section 13.002. By rule of the secretary of state: (a) The phrase "(t)he voter's name in the form indicated by the voter" in Texas Election Code §15.001 shall not be read to include a former name provided by the voter on the voter registration application; and (b) The voter's name as it appears on the voter registration certificate shall reflect the information provided by the voter on the most recent application supplied by that voter to the voter registrar. The name on the voter registration certificate shall be restricted to first name, middle name (if

DIRECTIVE

Page 4

any is supplied by the voter on the most recent application), and last name (including suffix, if any)." The voter registrar may also include abbreviations of names indicated on the voter registration application. The name of the voter printed on the certificate must be sufficient for the election judge to be able to identify the voter. For instance, the voter registrar may not routinely print "P.D. Smith" if the voter has indicated on his application the name "Paul David Smith." Nicknames may not be used unless the voter indicated a nickname as his or her name on the application. The year of birth (not birth date) and election precinct number must be indicated on the certificate, as well as the permanent residence address (and the mailing address, if these two addresses are different). The voter registrar will print the mailing address on the right-hand side of the card. The permanent residence address or a concise description of the location of the permanent residence must be printed on the left-hand portion of the certificate. If the complete descriptive address will not fit on the certificate, then the address may be truncated.

The certificate may include a designation of gender if gender has been provided on the application. If gender is not provided on the application, either leave the field blank or specify "U" in the gender field on the voter registration certificate to indicate it was unspecified. The TEAM System prints the gender information, including the "U" designation, in a preprinted box on the certificates. Offline counties may use the space designated for Gender to print the county's internal Legacy ID registration number but would need to obtain pre-approval from the Secretary of State. To obtain approval for this alteration a sample certificate with the proposed modification should be provided.

2.8 BACK OF CERTIFICATE. The prescribed language on the back of the certificate instructs the voter concerning the requirements that may be required at the polling place and instructs the voter to correct information on the front of the card by making corrections in the space provided on the back of the certificate. The Secretary of State by this directive requires that the information be printed on the back of the certificate as shown on the attached sample. Changes in the prescribed text are not permitted without prior written approval of this office.

2.9. PARTY AFFILIATION. The space for stamping party affiliation is placed vertically on the front of the certificate.

2.10. AREA FOR POSTAL INFORMATION. The right half of the front of the certificate must be left blank, except for mailing address and postage, barcode for VUID and information in the shaded yellow area. Information that is printed in the address area of the certificate must have a 1/8" clear space around the name and address. See Section 2.1 of this directive for exceptions.

3. MAILING OF CERTIFICATE

3.1. POSTAGE. The voter registrar mails the certificate with first-class postcard postage or, if mailed in an envelope, first-class-letter postage. The Texas Election Code requires that the certificate be mailed by nonforwardable mail. The voter's tax statement may not be included in the same envelope.

Module 202.4.4 of the Domestic Mail Manual provides for the endorsement to the postmaster on the certificate. The endorsement must be printed in at least 8pt. type and must appear at least 1/4" below the voter registrar's return address. There must also be a 1/4"-clear space below the endorsement. The attached sample of the certificate shows the correct placement of the endorsement. The certificate will be returned free of charge to the voter registrar when mailed at either first-class postcard or first-class letter rate. The voter registrar will receive an address correction at no extra charge when the certificate is returned with the endorsement "RETURN SERVICE REQUESTED."

There is no charge for this service since the new address will appear on the original mail piece. (DMM Exhibit 1.5.1, Domestic Mail Manual)

If an envelope is used to mail the voter registration certificate, the instruction to the postmaster, "RETURN SERVICE REQUESTED," must be printed on the front of the envelope at least ¼" below the return address of the voter registrar. There must also be a clear space of ¼" below the endorsement.

Postage must be paid from the county's budget. The Secretary of State is not authorized to pay for the mailing of the certificates. Funds received under Sections 19.001-19.006 of the Texas Election Code **may not** be used for payment of postage for mailing certificates. Funds received from the Secretary of State and maintained by the voter registrar or post office in the voter registration application business reply account (Permit 4511) **may not** be used to pay for mailing voter registration certificates.

The certificates may be mailed at a lower first-class-postage rate, for example, by carrier route or barcoding the zip code. To take advantage of the lower postage rate, the mailing list must be certified that it has been updated within 95 days of the mailing. Contact your local postmaster for various ways to prepare your mailing to obtain the lowest possible postal rate.

3.2. POSTAL REQUIREMENTS FOR POSTCARDS. If the certificates will be mailed as postcards rather than in envelopes, certain postal requirements must be met.

Any preprinted information on the right-hand side of the card must be shaded. (See attached sample certificate and Domestic Mail Manual 201.1.2.6) The area reserved for the address is white and must be at least 2 1/8" long and 1" high. The U.S. Post Office requires all certificates mailed as postcards to be presorted.

3.3. COORDINATION WITH LOCAL POSTAL AUTHORITIES. The voter registrar should coordinate with the local postmaster before the mailing date. Postal regulations have become very complicated, and we highly recommend that the local postmaster be consulted prior to printing the certificates.

3.4. MAILING DATE. The voter registrar shall issue a voter registration renewal certificate to each voter in the county in Active Status whose registration is effective on the preceding NOVEMBER 14. The mailing shall occur between NOVEMBER 15 and DECEMBER 5 of each odd-numbered year.

4. DUPLICATE CERTIFICATES

4.1. DUPLICATE CERTIFICATE FILES. Texas Election Code Section 15.143 provides a method for the voter registrar to maintain the active or inactive duplicate-certificate file on electronic data processing equipment. Evidence of the mailing must be maintained in a retrievable format. The data must include the name and address to which the certificate was sent and the ten digit VUID number. This is maintained in the Active Certificate files at the county office and is not maintained in TEAM. TEAM will include a note in the audit history of all voters, regardless of the status, that the voter record was updated as part of the Mass Mail Out. As a reminder, all voters in an Active, Suspense, or Cancelled status will have the Valid From Date updated to the 2018-2019 biennial cycle when the Mass Mail Out is run. This is to ensure clerical corrections or

reinstatements correctly display the Valid From Date information. The audit history information in TEAM should not be used to determine whether or not a certificate was issued.

5. NEW REGISTRATIONS

5.1. BEFORE EFFECTIVE DATE. Persons who register to vote whose registrations will become effective after NOVEMBER 14, 2017, and before JANUARY 1, 2018, may be issued initial certificates for the remainder of the voting year (Blue certificate). The "VALID FROM" date on the initial (blue) certificate is the effective date of registration, and the "THRU" date is DECEMBER 31, 2017. The voter registrar must issue renewal certificates (Yellow certificate) to the voters. The "VALID FROM" date on the renewal certificate will be JANUARY 1, 2018, and the "THRU" date will be DECEMBER 31, 2019. The duplicate of the initial certificate for the remainder of the voting year should be filed in the duplicate-certificate file or in electronic format as discussed above. Proof of issuing a renewal certificate is required, and instructions in Section 4 of this directive should be followed to provide such proof.

6. "SUSPENSE" VOTERS

6.1. Voters who have been mailed a confirmation notice prior to the Mass Mail Out but failed to respond to the notice are designated with an "S" on the list of registered voters. These voters are **NOT** mailed a renewal certificate.

6.2. If a voter responds to the confirmation mailing after the Mass Mail Out, correct the voter's registration information, remove the "S" designation, and mail the voter a renewal certificate with the new information.

7. RETURNED CERTIFICATES

7.1. CONFIRMATION NOTICE. In accordance with Section 14.023, Election Code, the voter registrar is required to mail, after January 1, 2018 but no later than March 1, 2018, a confirmation notice and response form to each voter whose renewal certificate was returned as undeliverable. If the post office provided a forwarding address on the returned certificate, the confirmation notice and response form must be mailed to the address given. If the post office did not provide a forwarding address, the confirmation notice and response form must be mailed to the last known mailing address of the voter. In any case, the confirmation notice and response form must be mailed by forwardable mail.

7.2. DESIGN. The Secretary of State has prescribed the wording of the confirmation notice and response form, but has left the design for printing to the voter registrar's discretion. Coordinate with the postmaster to determine the most efficient way to mail the confirmation notices and receive the response forms.

8. APPROVAL


8.1. SECRETARY OF STATE APPROVAL. Issued this 20th day of September, 2017.

Rolando B. Pablos
Secretary of State

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

 <p>VOTER REGISTRATION CERTIFICATE (Certificado de Registro Electoral)</p> <p>COUNTY (Condado)</p>	<p>Party Affiliation (Partido del Puesto)</p>


X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede.)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

 <p>VOTER REGISTRATION CERTIFICATE (Certificado de Registro Electoral)</p> <p>COUNTY (Condado)</p>	<p>Party Affiliation (Partido del Puesto)</p>


X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede.)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

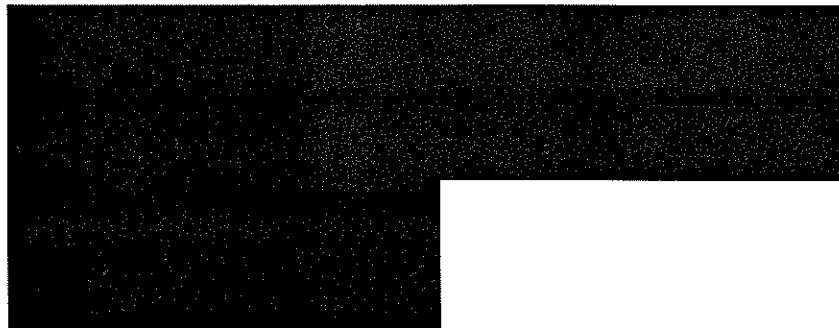
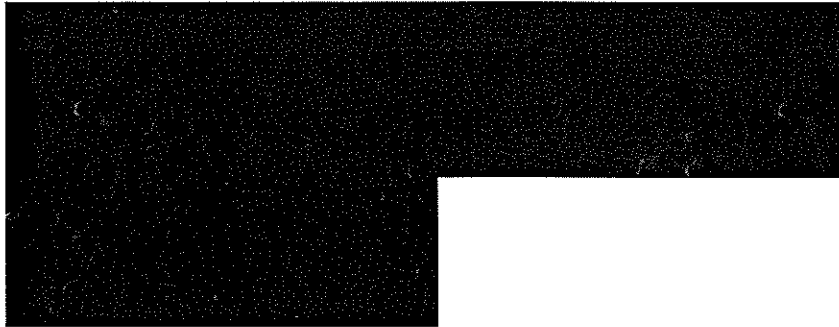
Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

 <p>VOTER REGISTRATION CERTIFICATE (Certificado de Registro Electoral)</p> <p>COUNTY (Condado)</p>	<p>Party Affiliation (Partido del Puesto)</p>

X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla, si puede.)



Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, September 26, 2017 11:30 AM
Subject: MASS EMAIL ADVISORY (CC/VA-651) - County Contact Information Request
Attachments: ENR Contact Request for Election Night Nov 7 2017.pdf

Importance: High

County Clerks and Elections Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 3, at 9am.
To update your county information, please follow the instructions in the attachment.

If any of the information you provided changes prior to election night, immediately contact Louri O'Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact or Louri O'Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

Voter Registration Certificate (Certificado de Registro Electoral)		
COUNTY (Condado)		
Valid (Válido)	Gender (Sexo)	Valid from (Válido desde)
Year of Birth (Año de nacimiento)	Prec. No. (Turn. Pista)	thru (hasta)
Name and Permanent Residence Address (Nombre y dirección residencial permanente)		

X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla si puede.)

Name and Mailing Address (Nombre y dirección de correo)				
---	--	--	--	--

Party Affiliation (Afiliación del Partido)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

Voter Registration Certificate (Certificado de Registro Electoral)		
COUNTY (Condado)		
Valid (Válido)	Gender (Sexo)	Valid from (Válido desde)
Year of Birth (Año de nacimiento)	Prec. No. (Turn. Pista)	thru (hasta)
Name and Permanent Residence Address (Nombre y dirección residencial permanente)		

X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla si puede.)

Name and Mailing Address (Nombre y dirección de correo)				
---	--	--	--	--

Party Affiliation (Afiliación del Partido)

Name, Voter Registrar
Telephone Number
Address
City, State, Zip

Secretary of State's Office
Elections Division
1-800-252-VOTE (8683)

RETURN SERVICE REQUESTED

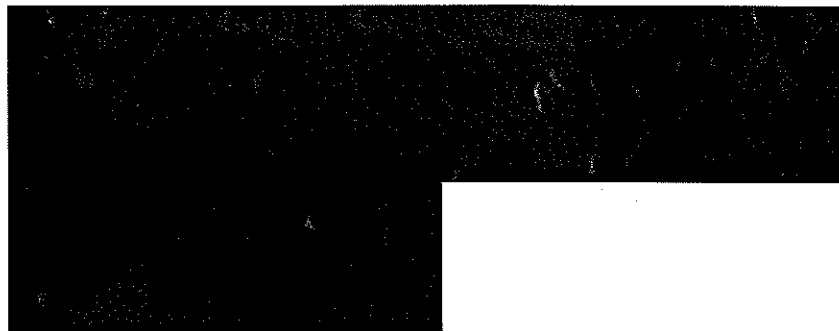
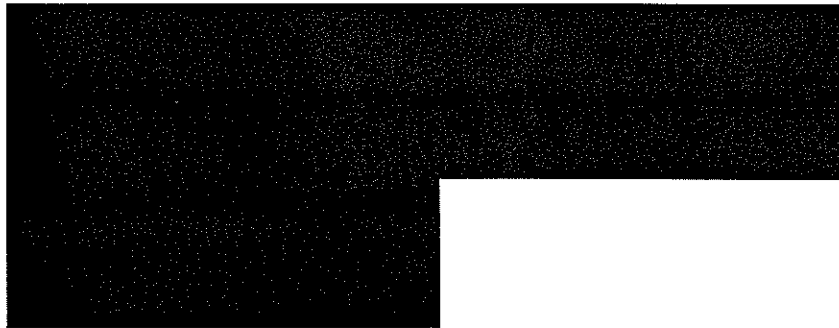
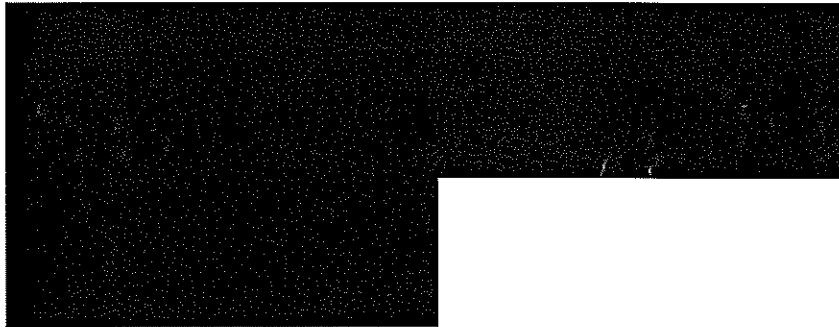
Voter Registration Certificate (Certificado de Registro Electoral)		
COUNTY (Condado)		
Valid (Válido)	Gender (Sexo)	Valid from (Válido desde)
Year of Birth (Año de nacimiento)	Prec. No. (Turn. Pista)	thru (hasta)
Name and Permanent Residence Address (Nombre y dirección residencial permanente)		

X

VOTER MUST PERSONALLY SIGN HIS/HER NAME IMMEDIATELY UPON RECEIPT, IF ABLE
(El votante debe firmar esta tarjeta personalmente al recibirla si puede.)

Name and Mailing Address (Nombre y dirección de correo)				
---	--	--	--	--

Party Affiliation (Afiliación del Partido)



Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

Voter identification requirements are under court review and may change. Voters who possess one of the following forms of photo identification that is not expired more than 4 years must show it to vote in person: 1) Texas driver license; 2) Texas election identification certificate; 3) Texas personal identification card; 4) Texas handgun license; 5) U.S. military ID card containing the voter's photo; 6) U.S. citizenship certificate containing the voter's photo; or 7) U.S. passport. Voters who do not possess an acceptable form of photo identification and cannot reasonably obtain one, may show a supporting form of identification (a complete list is available at www.votetexas.gov) and execute a Reasonable Impediment Declaration to vote in person. Voters with disabilities, religious objections to being photographed, and those affected by certain natural disasters, may also qualify for other exceptions. It is a criminal offense to intentionally and knowingly make a false statement on a Reasonable Impediment Declaration or knowingly impersonate another person and vote or attempt to vote as that person.

If you move within your county, or if any information on this certificate changes or is incorrect, correct the information in the space provided, sign below, and return this certificate to the voter registrar. If you move to a new county, you must re-register by completing and providing a new voter registration application to your new county. You will receive a new certificate for each written update or completed registration application submitted, as well as every two years as long as your voter registration is not cancelled by law.

Please visit www.votetexas.gov or contact your voter registrar for additional and updated information on voter ID requirements, including a complete list of acceptable supporting identification or to obtain a voter registration application.

Los requisitos de identificación para votantes están bajo revisión judicial y pueden cambiar. Votantes que poseen una de las siguientes formas de identificación con fotografía que no haya expirado hace más de 4 años, deben presentarlo para votar en persona: 1) licencia de conducir de Texas; 2) certificado de identificación electoral de Texas; 3) tarjeta de identificación personal de Texas; 4) licencia para portar armas de fuego de Texas; 5) cédula de identificación militar de los Estados Unidos con foto del votante; 6) certificado de ciudadanía de los Estados Unidos con foto del votante; o 7) pasaporte de los Estados Unidos. Votantes que no poseen una forma aceptable de identificación con fotografía y que no pueden razonablemente obtener una, pueden presentar una forma de identificación adicional (una lista completa está disponible en www.votetexas.gov) y llenar una Declaración de Impedimento Razonable para votar en persona. Votantes con discapacidades, objeciones religiosas a ser fotografiados, y aquellos afectados por ciertos desastres naturales también pueden calificar para otras excepciones. Es un delito criminal hacer una declaración falsa de forma consciente e intencional en una Declaración de Impedimento Razonable o hacerse pasar por otra persona de forma consciente y votar o intentar votar como tal persona.

Si se muda dentro de su condado, o si alguna información en este certificado cambia o es incorrecta, corrija la información en el espacio proporcionado, firme abajo, y devuelva este certificado al registrador de votantes. Si se muda a un nuevo condado, deberá volver a registrarse al completar y proporcionar una nueva solicitud de registro de votante a su nuevo condado. Usted recibirá un nuevo certificado para cada actualización escrita o solicitud de registro completada y enviada, así como cada dos años, siempre y cuando su registro de votante no sea cancelado por ley.

Por favor visite www.votetexas.gov o comuníquese con su registrador de votantes para obtener información adicional y actualizada sobre los requisitos de identificación de votantes, incluyendo una lista completa de identificación aceptable o para obtener una solicitud de registro de votantes.

I affirm the changes made to the left are correct.

Afirmo que los cambios hechos al lado izquierdo están correctos.

X

Signature of Voter (Firma del votante)

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: September 26, 2017

RE: Please Provide County Contact Information for the November 7, 2017 Constitutional

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 3, at 9am.

To update your county information, please go to this website and follow the instructions below:

- 1) Log onto this site and enter your county name and enter the password:
EMCSreport1@
<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>

A screenshot of the login page for the Election Management and Certification System. The page has a header with the Texas Secretary of State logo and the system name. Below the header, there are input fields for "Login Name" and "Password", and a "Login" button.

Provide a permanent password (*must be at least 10 characters*) – **this is the password you will use to conduct data entry testing and report your totals on election night.**

- New Password cannot be same as Current Password
- Password should be at least 10 characters. If it is less than 15 characters, the following rules apply
 - Password should not contain space
 - Password needs an upper case
 - Password needs a lowercase
 - Password needs a number
 - Password needs a special character !@#%&* _+=?/~';:;<>\\
- Password longer than 15 characters do not have password requirements and can be sentences. 'This is an example password' is a valid password

- Once you are in the website click on the “Counties” button for the 2017 Constitutional Amendment Election

Texas Secretary of State
Election Management and Certification System

Election List
Home Logout: EXAMPLE

Search By
Election Name
Search Clear

Search Results

Election Name	Election Date	Locked	Election Type	Actions
2017 Constitutional Amendment Election(320)	2017-11-07	N	CONSTITUTIONAL	Counties

< << >> >

- Then click on the “Edit” button at the far right

Texas Secretary of State
Election Management and Certification System

Election County List
Home Logout: EXAMPLE

Search By
County Name
Top Six Rank
Contact Complete --select--
Search Clear

2017 Constitutional Amendment Election: Counties (254 counties found)

County	Voter Registration	Suspense Voters	Precincts	Contact Complete	Actions
ANDERSON				N	Edit

- Update the total number of precincts + 1 precinct for early voting (Report the number of precincts reporting - not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts
23

Or if you are a county using the **Countywide Polling Place Program (CWPP)** please enter the number of Election Day polling locations within your county. That number plus one for early voting will be the number of “precincts” reported to our office on election night. (You will still need to track election precincts for the precinct by precinct report which we will ask for after election night.)

- Please place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Update or Delete the County Election Official, ENR Contact, and/or the ENR Alt Contact.

County Election Official:				
Name:	Contact Phone:	Cell Phone:	Home Phone:	Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
ENR Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		
ENR Alt Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		

- NOTE: Enter the requested data without using commas, dashes, etc.
- When complete, click “Update” to save the changes.
- Log off

If any of the information you provided changes prior to election night, immediately contact Louri O’Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact or Louri O’Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 27, 2017 4:17 PM
To: Louri O'Leary
Subject: MASS E-MAIL ADVISORY (County Judges/CC/EA-925) Constitutional Amendment Election to be held on November 7, 2017 CORRECTION
Attachments: Election Duties Memo Revised FINAL.pdf

Dear County Judges,

It has come to our attention that there were errors as to the description of canvassing in the Elections Duties Memo you were sent on August 16, 2017, as the description did not reflect changes made by HB 929 (85th Regular Session), which became effective on September 1, 2017. The other portions of the memo are unaffected by these changes.

We have attached a corrected memorandum with the changes identified in red. For ease of reference, the paragraph relating to canvassing now provides that canvassing may occur no earlier than Friday, November 10, not Wednesday, November 15. It also now provides that the canvass cannot take place prior to the reconvening of the early voting ballot board to count any late ballots arriving from military voters using the FPCA or from outside the United States, and to count provisional ballots, not just prior to the reconvening of the early voting ballot board to count any late ballots arriving from outside the United States or to count provisional ballots.

Thank you, Louri

Louri O'Leary

Office of the Texas Secretary of State
Elections Division
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252. 8683 ♦ www.sos.state.tx.us/elections
D: 512.463.3204 ♦ F: 512.475.2811

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: County Judges

FROM: Keith Ingram, Director of Elections

DATE: August 16, 2017 [CORRECTED September 27, 2017]

RE: Constitutional Amendment Election Duties [CORRECTED MEMORANDUM]

Enclosed is the Governor's Proclamation ordering the Constitutional Amendment Election to be held on November 7, 2017.

You are required to give notice of this election by any one of the following methods:

- (1) by publishing the notice in a newspaper of general circulation in the county between Sunday, October 8, 2017 and Saturday, October 28, 2017;
- (2) by posting a copy of the notice at a public place in each election precinct on or before Tuesday, October 17, 2017; or
- (3) by mailing the notice to each registered voter in the county no later than Monday, October 30, 2017.

This notice must include:

- (1) The type and date of the election;
- (2) The location of each polling place;
- (3) The hours the polls will be open;
- (4) The location of the main early voting polling place;
- (5) The regular dates and hours for early voting by personal appearance;
- (6) The dates and hours of any Saturday or Sunday early voting, if any; and
- (7) The early voting clerk's mailing address.

In addition to the method of giving notice stated above, you must also post a notice of the election on the bulletin board used for posting open meetings and notices of commissioners court meetings no later than Tuesday, October 17, 2017. You will need to add the following language to the notice form after "for voting in a special election to" (and after "*para votar en la Elección Especial para*")

"adopt or reject the proposed Constitutional Amendments as submitted by the 85th Legislature, Regular Session, of the State of Texas." ("*adoptar o rechazar las enmiendas a la constitución propuestas tal como fueron presentadas por la 85ª Legislatura Sesión Regular del Estado de Texas*".)

Link for the form is: <http://www.sos.state.tx.us/elections/forms/pol-sub/1-8f.pdf>

For each precinct that is combined to form a consolidated precinct under Section 42.008 of the Texas Election Code, not later than Monday, October 30, 2017, you shall also post at the polling place used in the preceding general election notice of the precinct's consolidation and the location of the polling place in the consolidated precinct.

You are also responsible for sending to each election judge a writ of election, which is notice to the judge of his/her duty to hold the election on November 7, 2017. The writ must be sent no later than Monday, October 23, 2017. The link to a sample of that form is: <http://www.sos.state.tx.us/elections/forms/pol-sub/4-12f.pdf>. In the space for the "Nature of Election," we recommend the following verbiage:

"To adopt or reject the proposed Constitutional Amendments as submitted by the 85th Legislature, Regular Session, of the State of Texas"

Due to the changes brought about by HB 929 (85th Regular Session), the commissioners court must canvass the constitutional amendment election no earlier than Friday, November 10 and no later than Monday, November 20, 2017. The canvass cannot take place prior to the reconvening of the early voting ballot board to count any late ballots arriving from military voters using the FPCA or from outside the United States, and to count provisional ballots. Note that the **officially canvassed returns for the state constitutional amendment election must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass.**

If you have any questions regarding the constitutional amendment election, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

KILO

Enclosure: Governor's Proclamation

CC: County Clerks/Elections Administrators

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, September 29, 2017 10:48 AM
Subject: MASS EMAIL ADVISORY (CC/EA-651) - County Contact Information Request (REMINDER)
Attachments: ENR Contact Request for Election Night Nov 7 2017.pdf
Importance: High

Good Morning,

As a reminder, all contact information in EMCS must be updated by close of business Monday, October 3.

The memo and instructions regarding the update are attached for your convenience. Should you need assistance or have questions, please email Andria or Louri. You may also contact us by calling 1.800.252.2216.

We certainly appreciate and thank those who have completed the update!

Thank you kindly,

Andria Perales

Office of the Texas Secretary of State
Elections Administration – Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet
Sent: Tuesday, September 26, 2017 11:29 AM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL ADVISORY (CC/VA-651) - County Contact Information Request
Importance: High

County Clerks and Elections Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is

imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 3, at 9am.

To update your county information, please follow the instructions in the attachment.

If any of the information you provided changes prior to election night, immediately contact Louri O'Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact or Louri O'Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, October 02, 2017 9:36 AM
Subject: MASS EMAIL ADVISORY (CC/EA-651) - County Contact Information Request (REMINDER)
Attachments: ENR Contact Request for Election Night Nov 7 2017.pdf
Importance: High

Today is the last day.

Login into EMCS to update your contact information before COB TODAY!!

The memo and instructions are attached for your convenience. If you have any questions, email Andria or Louri, or call us at 1.800.252.2216.

Thank you to all who have updated their information!!

Have a great Monday.

Andria Perales

Office of the Texas Secretary of State
Elections Administration – Special Projects

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet
Sent: Friday, September 29, 2017 10:46 AM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL ADVISORY (CC/EA-651) - County Contact Information Request (REMINDER)
Importance: High

Good Morning,

As a reminder, all contact information in EMCS must be updated by close of business Monday, October 2.

The memo and instructions regarding the update are attached for your convenience. Should you need assistance or have questions, please email [Andria](#) or [Louri](#). You may also contact us by calling 1.800.252.2216.

We certainly appreciate and thank those who have completed the update!

Thank you kindly,

Andria Perales

Office of the Texas Secretary of State
Elections Administration – Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet

Sent: Tuesday, September 26, 2017 11:29 AM

To: Elections Internet <Elections@sos.texas.gov>

Subject: MASS EMAIL ADVISORY (CC/VA-651) - County Contact Information Request

Importance: High

County Clerks and Elections Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 2, at 9am.

To update your county information, please follow the instructions in the attachment.

If any of the information you provided changes prior to election night, immediately contact Louri O'Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact or Louri O'Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Keith Ingram
Director, Elections Division
Office of the Secretary of State

800-252-VOTE(8683)

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:

VOTETEXAS.GOV

POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: September 26, 2017

RE: Please Provide County Contact Information for the November 7, 2017 Constitutional

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 3, at 9am.

To update your county information, please go to this website and follow the instructions below:

- 1) Log onto this site and enter your county name and enter the password:
EMCSreport1@
<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>

A screenshot of the login page for the Election Management and Certification System. The page has a header with the Texas Secretary of State logo and the title "Election Management and Certification System". Below the header, there are two input fields labeled "Login Name:" and "Password:". A "Login" button is located below the password field.

Provide a permanent password (*must be at least 10 characters*) – **this is the password you will use to conduct data entry testing and report your totals on election night.**

- New Password cannot be same as Current Password
- Password should be at least 10 characters. If it is less than 15 characters, the following rules apply
 - Password should not contain space
 - Password needs an upper case
 - Password needs a lowercase
 - Password needs a number
 - Password needs a special character !@#\$%^&* _+=?/~`.;:;<>|\\
- Password longer than 15 characters do not have password requirements and can be sentences. 'This is an example password' is a valid password

- Once you are in the website click on the “Counties” button for the 2017 Constitutional Amendment Election

Texas Secretary of State
Election Management and Certification System

Election List
Home | Logout: EXAMPLE

Search By
Election Name
Search Clear

Search Results

Election Name	Election Date	Locked	Election Type	Actions
2017 Constitutional Amendment Election(329)	2017-11-07	N	CONSTITUTIONAL	Counties

<<< < > >>>

- Then click on the “Edit” button at the far right

Texas Secretary of State
Election Management and Certification System

Election County List
Home | Logout: EXAMPLE

Search By
County Name
Top Six Rank
Contact Complete --select--
Search Clear

2017 Constitutional Amendment Election: Counties (254 counties found)

County	Voter Registration	Suspense Voters	Precincts	Contact Complete	Actions
ANDERSON				N	Edit

- Update the total number of precincts + 1 precinct for early voting (Report the number of precincts reporting - not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts
23

Or if you are a county using the **Countywide Polling Place Program (CWPP)** please enter the number of Election Day polling locations within your county. That number plus one for early voting will be the number of “precincts” reported to our office on election night. (You will still need to track election precincts for the precinct by precinct report which we will ask for after election night.)

- Please place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Update or Delete the County Election Official, ENR Contact, and/or the ENR Alt Contact.

County Election Official:				
Name:	Contact Phone:	Cell Phone:	Home Phone:	Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="button" value="Delete"/>
ENR Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="button" value="Delete"/>
ENR Alt Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="button" value="Delete"/>

- NOTE: Enter the requested data without using commas, dashes, etc.
- When complete, click "Update" to save the changes.
- Log off

If any of the information you provided changes prior to election night, immediately contact Louri O'Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact or Louri O'Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Alexy Rios

From: Andria Perales <APerales@sos.texas.gov>
Sent: Tuesday, October 03, 2017 9:22 AM
Cc: Louri O'Leary
Subject: REMINDER - MASS EMAIL ADVISORY (CC/EA-651) - County Contact Information Request (REMINDER)
Attachments: ENR Contact Request for Election Night Nov 7 2017.pdf
Importance: High

Good Morning,

It is imperative that your contact information is updated as quickly as possible. Please login into **EMCS** and update your contact information **ASAP**. EMCS will be brought down off and on over the next several weeks for stress testing, and you will not be able to access your information.

Contact Andria or Louri at 1.800.252.2216 if you have any questions or need assistance.

Thank you,

Andria Perales

Office of the Texas Secretary of State
Elections Administration

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet
Sent: Monday, October 02, 2017 9:35 AM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL ADVISORY (CC/EA-651) - County Contact Information Request (REMINDER)
Importance: High

Today is the last day.

Login into EMCS to update your contact information before COB TODAY!!

The memo and instructions are attached for your convenience. If you have any questions, email Andria or Louri, or call us at 1.800.252.2216.

Thank you to all who have updated their information!!

Have a great Monday.

Andria Perales

Office of the Texas Secretary of State
Elections Administration – Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet

Sent: Friday, September 29, 2017 10:46 AM

To: Elections Internet <Elections@sos.texas.gov>

Subject: MASS EMAIL ADVISORY (CC/EA-651) - County Contact Information Request (REMINDER)

Importance: High

Good Morning,

As a reminder, all contact information in EMCS must be updated by close of business Monday, October 2.

The memo and instructions regarding the update are attached for your convenience. Should you need assistance or have questions, please email Andria or Lourie. You may also contact us by calling 1.800.252.2216.

We certainly appreciate and thank those who have completed the update!

Thank you kindly,

Andria Perales

Office of the Texas Secretary of State
Elections Administration – Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet
Sent: Tuesday, September 26, 2017 11:29 AM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL ADVISORY (CC/VA-651) - County Contact Information Request
Importance: High

County Clerks and Elections Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 2, at 9am.
To update your county information, please follow the instructions in the attachment.

If any of the information you provided changes prior to election night, immediately contact Louri O'Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact Louri O'Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: September 26, 2017

RE: Please Provide County Contact Information for the November 7, 2017 Constitutional

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 3, at 9am.

To update your county information, please go to this website and follow the instructions below:

- 1) Log onto this site and enter your county name and enter the password:
EMCSreport1@
<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>

A screenshot of the login page for the Election Management and Certification System. The page has a dark header with the Texas Secretary of State logo and the title "Election Management and Certification System". Below the header, there are two input fields labeled "Login Name" and "Password". The "Login Name" field contains the text "EMCSreport1@". Below the "Password" field is a "Login" button.

Provide a permanent password (*must be at least 10 characters*) – **this is the password you will use to conduct data entry testing and report your totals on election night.**

- New Password cannot be same as Current Password
- Password should be at least 10 characters. If it is less than 15 characters, the following rules apply
 - Password should not contain space
 - Password needs an upper case
 - Password needs a lowercase
 - Password needs a number
 - Password needs a special character !@#%&*_+=?/~`.,:;<>|
- Password longer than 15 characters do not have password requirements and can be sentences. 'This is an example password' is a valid password

- Once you are in the website click on the “Counties” button for the 2017 Constitutional Amendment Election

Texas Secretary of State
Election Management and Certification System

Election List
Home Logout: EXAMPLE

Search By
Election Name
Search Clear

Search Results

Election Name	Election Date	Locked	Election Type	Actions
2017 Constitutional Amendment Election(320)	2017-11-07	N	CONSTITUTIONAL	Counties

- Then click on the “Edit” button at the far right

Texas Secretary of State
Election Management and Certification System

Election County List
Home Logout: EXAMPLE

Search By
County Name
Top Six Rank
Contact Complete --select--
Search Clear

2017 Constitutional Amendment Election: Counties (254 counties found)

County	Voter Registration	Suspense Voters	Precincts	Contact Complete	Actions
ANDERSON				N	Edit

- Update the total number of precincts + 1 precinct for early voting (Report the number of precincts reporting - not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts
23

Or if you are a county using the **Countywide Polling Place Program (CWPP)** please enter the number of Election Day polling locations within your county. That number plus one for early voting will be the number of “precincts” reported to our office on election night. (You will still need to track election precincts for the precinct by precinct report which we will ask for after election night.)

- Please place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Update or Delete the County Election Official, ENR Contact, and/or the ENR Alt Contact.

County Election Official:				
Name:	Contact Phone:	Cell Phone:	Home Phone:	Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="button" value="Delete"/>

ENR Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="button" value="Delete"/>

ENR Alt Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="button" value="Delete"/>

- NOTE: Enter the requested data without using commas, dashes, etc.
- When complete, click "Update" to save the changes.
- Log off

If any of the information you provided changes prior to election night, immediately contact Louri O'Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact or Louri O'Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Friday, October 06, 2017 8:03 AM
To: VRTeam
Subject: MASS EMAIL ADVISORY (VR/EA-658) - Voter registration deadline memorandum
Attachments: VR Application Sample Notification.pdf; Voter Registration Postmarks and Cut-Off Dates.pdf

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

Date: October 6, 2017

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, Tuesday, October 10, 2017 is the last day for a voter to register to vote in the upcoming November Election. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the envelope from the SOS with the registrations, then all of the applications were received by us after October 10th or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is

no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: September 26, 2017

RE: Please Provide County Contact Information for the November 7, 2017 Constitutional

Under Section 68.034 of the Texas Election Code, you must transmit the returns for November 7, 2017 Constitutional Amendment Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Monday, October 3, at 9am.

To update your county information, please go to this website and follow the instructions below:

- 1) Log onto this site and enter your county name and enter the password:
EMCSreport1@
<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>

A screenshot of the login page for the Election Management and Certification System. The page has a header with the Texas Secretary of State logo and the title "Election Management and Certification System". Below the header, there are two input fields labeled "Login Name:" and "Password:". A "Login" button is located below the password field.

Provide a permanent password (*must be at least 10 characters*) – **this is the password you will use to conduct data entry testing and report your totals on election night.**

- New Password cannot be same as Current Password
- Password should be at least 10 characters. If it is less than 15 characters, the following rules apply
 - Password should not contain space
 - Password needs an upper case
 - Password needs a lowercase
 - Password needs a number
 - Password needs a special character !@#\$%^&* _+=?/~`';,;<>|
- Password longer than 15 characters do not have password requirements and can be sentences. 'This is an example password' is a valid password

- Once you are in the website click on the “Counties” button for the 2017 Constitutional Amendment Election

Texas Secretary of State
Election Management and Certification System

Election List
Home | Logout: EXAMPLE

Search By
Election Name
Search Clear

Search Results

Election Name	Election Date	Locked	Election Type	Actions
2017 Constitutional Amendment Election(320)	2017-11-07	N	CONSTITUTIONAL	Counties

<<< >>>

- Then click on the “Edit” button at the far right

Texas Secretary of State
Election Management and Certification System

Election County List
Home | Logout: EXAMPLE

Search By
County Name
Top Six Rank
Contact Complete --select--
Search Clear

2017 Constitutional Amendment Election: Counties (254 counties found)

County	Voter Registration	Suspense Voters	Precincts	Contact Complete	Actions
ANDERSON				N	Edit

- Update the total number of precincts + 1 precinct for early voting (Report the number of precincts reporting - not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts
23

Or if you are a county using the **Countywide Polling Place Program (CWPP)** please enter the number of Election Day polling locations within your county. That number plus one for early voting will be the number of “precincts” reported to our office on election night. (You will still need to track election precincts for the precinct by precinct report which we will ask for after election night.)

- Please place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Update or Delete the County Election Official, ENR Contact, and/or the ENR Alt Contact.

County Election Official:				
Name:	Contact Phone:	Cell Phone:	Home Phone:	Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="button" value="Delete"/>
ENR Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="button" value="Delete"/>
ENR Alt Contact:				
Name:	Contact Phone:	Home Phone:		Delete
<input type="text"/>	<input type="text"/>	<input type="text"/>		<input type="button" value="Delete"/>

- NOTE: Enter the requested data without using commas, dashes, etc.
- When complete, click "Update" to save the changes.
- Log off

If any of the information you provided changes prior to election night, immediately contact Louri O'Leary or Andria Perales in the Elections Division.

The instructions for reporting your election returns via the Internet will be sent to you at a later date, and will include any other instructions you may need. If you have any questions, please contact or Louri O'Leary or Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Alexy Rios

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Friday, October 06, 2017 8:03 AM
To: VRTeam
Subject: MASS EMAIL ADVISORY (VR/EA-658) - Voter registration deadline memorandum
Attachments: VR Application Sample Notification.pdf; Voter Registration Postmarks and Cut-Off Dates.pdf

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

Date: October 6, 2017

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, Tuesday, October 10, 2017 is the last day for a voter to register to vote in the upcoming November Election. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the envelope from the SOS with the registrations, then all of the applications were received by us after October 10th or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is

no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

THE ENCLOSED VOTER REGISTRATION
APPLICATIONS WITHOUT POSTMARKS CAME TO
OUR OFFICE IN PACKAGES WHICH WERE
POSTMARKED ON OR BEFORE OCTOBER 10, 2017.
THE VOTERS ARE ELIGIBLE FOR THE NOVEMBER
7, 2017 ELECTION. ANY QUESTIONS PLEASE
CALL LOURI O'LEARY WITH THE ELECTIONS
DIVISION TOLL-FREE AT 1-800-252-2216 OR
EMAIL LOLEARY@SOS.TEXAS.GOV

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

A handwritten signature in black ink, appearing to read "Keith Ingram".

Date: October 6, 2017

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, Tuesday, October 10, 2017 is the last day for a voter to register to vote in the upcoming November Election. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the

envelope from the SOS with the registrations, then all of the applications were received by us after October 10th or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, October 06, 2017 8:39 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA/VR(904)-- voters displaced by Harvey

Hello Everyone,

We have posted a FAQ in [English](#) and [Spanish](#) for voters who have been displaced by Harvey. Please do what you can to make sure this information gets to the folks who need it. Thank you. Please let us know if you need anything from us as we get ready for early voting in person and election day.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, October 11, 2017 9:05 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA/CSO(4131)--Voter ID advisory

Hello Everyone,

This is a reminder that the District Court's interim remedy is in place for elections this fall. Please see the below advisory for current voter ID procedures. As an additional reminder, we would like for you to send to us scanned copies of any Reasonable Impediment Declarations submitted by voters for this November's election. Let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Election Advisory No. 2017-15

To: Election Officials

From: Keith Ingram, Director of Elections

Date: October 11, 2017

RE: Voter Identification Procedures

On August 10, 2016, a federal district court entered an order (PDF) changing the voter identification requirements for all elections held in Texas. This order is currently in effect for the November 7, 2017 election. This advisory will explain the order's procedure and provide answers to frequently asked questions.

Summary of the Procedure

Voters who possess an **acceptable form of photo ID** for voting are still required to present it in order to vote in person in all Texas elections. However, the acceptable form of photo identification may be expired up to four years. (Please remember some IDs, including U.S. citizenship certificates, do not expire.)

These are the 7 forms of acceptable photo ID:

1. Texas driver license issued by the Texas Department of Public Safety (DPS)
2. Texas Election Identification Certificate issued by DPS
3. Texas personal identification card issued by DPS
4. Texas license to carry a handgun issued by DPS
5. United States military identification card containing the person's photograph
6. United States citizenship certificate containing the person's photograph
7. United States passport

Further, voters who do not possess one of the forms of acceptable photo ID, and cannot reasonably obtain one, may present a **supporting form of identification** of the voter and execute a **Reasonable Impediment Declaration** (in [English \(PDF\)](#) or [Spanish \(PDF\)](#)), noting the voter's reasonable impediment to obtaining an acceptable form of photo identification, stating that the voter is the same person who personally appeared at the polling place, and stating that the voter is casting a ballot while voting in-person.

These are the 7 forms of supporting ID:

1. Valid voter registration certificate
2. Certified birth certificate (must be an original)
3. Copy of or original current utility bill
4. Copy of or original bank statement
5. Copy of or original government check
6. Copy of or original paycheck
7. Copy of or original government document with the voter's name and an address (original required if it contains a photograph)

Examples of government documents include driver's licenses from other states, ID cards issued by federally recognized Native American tribes (if the ID card contains an address), DPS Receipts (without a photo), expired voter registration certificates, and expired Texas DPS-issued driver licenses or personal ID cards (over 4 years). Government documents do NOT include Social Security cards (no address), public college or university IDs without an address, state/federal employee ID cards without an address, or library cards without an address. The address on the government document has to be an address of the voter. It does not have to match the address on the Official List of Registered Voters.

Training Polling Place Workers and Procedures for County Election Officials

Preparing the Polling Place

The election officials should be prepare the polling place as usual; however, they should be provided with the following versions of the following forms:

1. **Voter Information Poster (Form 7-7):** This (as of 9/2016) form should be posted in both [English \(PDF\)](#) and [Spanish \(PDF\)](#) in a prominent location at each polling place.
2. **Notice of Acceptable Identification Poster:** This form (as of 9/2016) should be posted in both [English \(PDF\)](#) and [Spanish \(PDF\)](#) in a prominent location outside of each polling location (available in three sizes; 8.5x14 sizes are linked; other sizes are available [here](#)).

Qualifying the Voter

1. The poll worker should ask the voter whether the voter possesses one of the acceptable forms of photo ID, and if so, to present that acceptable form of photo ID.
 - o *If* the voter presents an acceptable form of photo ID, the poll worker should proceed to Step 2.
 - o NOTE: If a voter has continued access to their acceptable form of photo ID, but, for example, forgets to bring their acceptable form of photo ID to the polling place and/or left it, for example, at home or in their car, the voter still possesses the acceptable photo ID and must use it to vote. Accordingly, *if* the voter states that they possess an acceptable form of photo ID, but they did not bring it to the polling place, the poll worker should explain that the voter may take one of two actions:

- The voter may leave the polling place and return with their acceptable form of photo ID. Once they return with their acceptable form of photo ID, the poll worker should proceed to Step 2.
- The voter may cast a provisional ballot, and “cure” by appearing at the county voter registrar’s office within 6 calendar days of election day and presenting an acceptable form of photo ID, or fill out a natural disaster affidavit because the voter’s acceptable photo ID is inaccessible due to certain natural disasters. If the voter casts a provisional ballot due to lack of acceptable photo ID, the procedures for casting a provisional ballot have not changed, but poll worker should provide to the voter an updated Notice to Provisional Voter (ID Voter) (Form 7-15c) (as of 08/2016), available in [English \(PDF\)](#) and [Spanish \(PDF\)](#).
- If the voter states that they do not possess an acceptable form of photo ID, the poll worker should ask the voter whether the voter cannot reasonably obtain one of the acceptable forms of photo ID.
 - If the voter says “yes”, that they cannot reasonably obtain an acceptable form of photo ID, explain to the voter that the voter can present a supporting form of ID and execute a **Reasonable Impediment Declaration** (in [English \(PDF\)](#) or [Spanish \(PDF\)](#))

Note: If the voter states that they do not possess and cannot reasonably obtain an acceptable form of photo ID, the poll worker should not question the voter as to why. The poll worker should simply state that if the voter does not possess and cannot reasonably obtain an acceptable form of photo ID, they can show a supporting form of ID and execute a Reasonable Impediment Declaration.

Note: The poll worker may not question the reasonableness of the voter’s reasonable impediment or the truth of the declaration. For example, if the voter checks “lack of transportation”, the poll worker may not challenge the voter’s access to a bus route or other means of transportation. A signed reasonable impediment declaration shall be rejected only upon conclusive evidence that the person completing the declaration is not the person in whose name the ballot is cast.

Note: A voter who does not possess an acceptable form of photo ID includes a voter who does not possess a *valid* form of acceptable photo identification. Accordingly, a voter with a lost, stolen, suspended, or expired more than four years, form of photo ID listed above does not possess one of the acceptable forms of photo ID, and the voter could execute the Reasonable Impediment Declaration and present a supporting form of identification if the voter cannot reasonably obtain a replacement of the identification that was lost, stolen, suspended, revoked, expired or another form of acceptable form of photo ID.

The poll worker should provide the voter with a Reasonable Impediment Declaration, and ask the voter to complete the form by writing their name, indicating at least one reasonable impediment to obtaining an acceptable form of photo ID, and signing and dating the Declaration.

After the Declaration is completed by the voter, the voter should return the Declaration to the poll worker, and the poll worker should ask the voter to present one of the forms of supporting ID of the voter. The poll worker should indicate on the Declaration which supporting form of identification was presented, and proceed to Step 2.

- If the voter states that they do not possess an acceptable form of photo ID, and that they can reasonably obtain an acceptable form of photo ID, **or if the voter would otherwise not be able to reasonably obtain an acceptable form of photo ID, but has not brought a supporting form of ID to the polling place**, the voter should be offered a provisional ballot. The voter may “cure” by appearing at the county voter registrar’s office within 6 calendar days of election day and presenting an acceptable form of photo ID, or qualifying for one of the exemptions (disability, natural disaster, or religious objection to being photographed). If the voter casts a provisional ballot due to lack of acceptable photo ID, the procedures for casting a provisional ballot have not changed, but poll worker should provide to the voter a Notice to Provisional Voter (ID Voter)(Form 7-15c)(as of 08/2016), available in [English\(PDF\)](#) and [Spanish \(PDF\)](#). In addition, if the voter would otherwise not be able to reasonably obtain an acceptable form of photo ID, but has not brought a supporting form of ID to the polling place, the poll worker should explain that that voter may also opt to leave the polling place, and return at a later time with their acceptable form of supporting ID and vote a regular ballot after executing a Reasonable Impediment Declaration at that time.

Note: A voter may only “cure” by showing an acceptable form of photo ID. A voter who does not possess and would otherwise not be able to reasonably obtain an acceptable form of photo ID who did not bring a

supporting form of ID to the polling place may **not** "cure" at the county voter registrar's office by showing an acceptable form of supporting ID and executing a Reasonable Impediment Declaration at the county voter registrar's office. For voters who vote in person at the polling place, the Reasonable Impediment Declaration process is an election day/early voting procedure **only, and there is no "cure" option involving execution of a Reasonable Impediment Declaration or the presentation of supporting ID.**

- Voters who do not present an acceptable form of photo ID (including, but not limited to, those who do not possess and cannot reasonably obtain an acceptable form of photo ID who present a supporting form of ID and execute a Reasonable Impediment Declaration), should be provided with a copy of Form 13-1 (as of 09/2016) – Notice of Required Identification (PDF).

2. The poll worker should confirm that the voter is on the official list of registered voters, by finding the voter's name on the official list of registered voters. If the voter is not on the official list of registered voters, the poll worker should follow the procedure specified in Section 63.006, except that for voters who do not possess and cannot reasonably obtain an acceptable form of photo ID, and who execute a Reasonable Impediment Declaration and present a supporting form of ID, the supporting form of ID may also be used as the "acceptable voter ID" (referenced on Form 7-27) along with the voter's voter registration certificate (and the supporting form of ID may also be the voter's valid registration certificate).

Note: The Registrations Omissions List (Form 7-27 (PDF)) has not been updated at this time to reflect the August 10, 2016 Court Order referenced herein. The "acceptable voter ID" referred to in the definition of "Required documentation" on the instructions for that form now includes a "supporting form of ID" for voters who do not possess and cannot reasonably obtain an acceptable form of photo ID and who execute a Reasonable Impediment Declaration and present a supporting form of ID.

3. The poll worker should fully compare the voter's name as listed on the official list of registered voters to the voter's name as it appear on present form of ID.

Note: This comparison should be done regardless of whether the voter presents an acceptable form of photo ID or presents a supporting form of ID while executing a Reasonable Impediment Declaration.

4. The poll worker should confirm that the voter's address on the official list of registered voters is current by confirming that the voter has not moved.

Note: The address on the voter's presented ID (either an acceptable photo ID or a supporting ID) does not have to match the voter's address on the official list of registered voters.

5. The voter should sign the combination form/signature roster, and execute any required affidavits, such as the substantially similar name affidavit.

Note: The combination forms/signature rosters and instructions for the combination form have not been updated at this time to reflect the August 10, 2016 Court Order referenced herein, but the substantially similar name affidavit on the forms should be considered still valid notwithstanding that it references Section 63.0101 of the Texas Election Code.

6. The voter should complete the check-in proceed to voting a regular or provisional ballot as appropriate. **Voters who do not possess and cannot reasonably obtain an acceptable form of photo ID, who complete the Reasonable Impediment Declaration and present a supporting form of ID, are permitted to cast a regular ballot if they are otherwise qualified to vote a regular ballot.**

Note: The Affidavit of Provisional Voter (Form 7-15 (PDF)) does not contain a specific reference to the August 10, 2016 Court Order referenced herein. The "other" box may be used for situations not explicitly covered on the form.

Receiving Mail Ballots

The procedure for the early voting clerk to receive ballot by mail will not change, except that the early voting clerk should use the 09/2016 version of the Hand Delivery Roster (Form 5-11a (PDF)) for accepting carrier envelopes delivered to the early voting clerk on election day, which now also permits voters who do not possess and cannot reasonably obtain an

acceptable form of photo ID, delivering their ballots in this manner, to complete the Reasonable Impediment Declaration and present a form of supporting identification.

Cure Period After the Election

The voter registrar should use the following forms (as of 08/2016) during the cure period.

Cure list ([Form 9-7 \(PDF\)](#))

Request for Disability Exemption ([Form 13-6 \(PDF\)](#))

Temporary Exemption ([Form 13-7 \(PDF\)](#))

Additional Forms for the November 7, 2017 Election

The following forms (applicable to voters voting for the first time with an "ID Required" flag also account for first time voters who do not possess and cannot reasonably obtain an acceptable form of photo ID):

- **Form 5-22a:** Notice to Voter Who Must Provide Identification (For Voters Voting by Mail (For Voters Voting by Mail (in [English \(PDF\)](#) and [Spanish \(PDF\)](#)) (updated 9/2016))
- **Form 5-8 (PDF):** List of Voters Indicated as ID Voters (updated 9/2016)

Records Requirement

All Reasonable Impediment Declarations should be scanned or photocopied and submitted to the Secretary of State not later than 30 days after the election.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, October 20, 2017 2:43 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA/CSO(4132)--Advisory 2017-17 - Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators
Attachments: ADV2017-17 -- Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators.docx

Hello Everybody,

Please find attached Advisory 2017-17 - Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators. This advisory discusses and provides guidance on implementing new voting system procedures and policies put in place as a result of recent legislation and amendments to the Texas Administrative Code.

Please feel free to contact us with any questions you may have.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **NO. 2017-17XX**

TO: County Election Officers and City, School and Other Political Subdivision Officials

FROM: Keith Ingram, Director of Elections

DATE: October ~~20XX~~, 2017

RE: Updates to Voting System Procedures – Precinct Ballot Counters and Central Accumulators

As a result of recent legislation and amendments to the Texas Administrative Code, there several new voting system procedures and policies. This advisory will discuss each of those following e changes and provide guidance on implementing those changes.

The changes discussed include:-

1. Revisions to Texas Administrative Code
 - a. Rule 81.52
 - b. Rule 81.62
2. New Procedures for the use of Precinct Ballot Counters.
 - a. Testing Requirements
 - b. Establishing a Central Counting Station
3. Early Voting by Personal Appearance – Precinct Ballot Counter Procedures
 - a. Counting by Early Voting Ballot Board
 - b. Counting by Central Counting Station
4. Early Voting by Mail Ballots – Precinct Ballot Counter Procedures
5. Election Day Ballots – Precinct Ballot Counter Procedures
 - a. Precinct Returns Completed at Polling Place
 - b. Precinct Returns Completed at Central Counting Station
6. Ballot Box Capacity Emergencies

1. Revisions to Texas Administrative Code

On June 28, 2017, the Office of the Secretary of State received a petition requesting changes to certain Texas Administrative Code rules related to the requirement that a continuous feed (dot matrix) printer must be attached to all precinct ballot counters during early voting (1 T.A.C. § 81.52) and attached to all central accumulators (1 T.A.C. §81.62). The proposed rules also created a procedure by which a poll watcher can request printed copies of the audit logs contained in the Election Management System's central accumulator on election night while the central counting station is convened and tabulating election results.

1 T.A.C. § 81.52 – Precinct Ballot Counters

Previously, under 1 T.A.C. § 81.52(h), if a precinct ballot counter was to be used during early voting by personal appearance, a continuous feed audit log printer was required to remain attached to the precinct ballot counter throughout the early voting period. As of September 28, 2017, the requirement for this continuous feed audit log printer was repealed from the Texas Administrative Code. Therefore, precinct ballot counters can now be used for early voting by personal appearance provided that certain procedures are followed.

Formatted: Underline

All precinct ballot counters certified for use in Texas election maintain internal audit logs. This is a requirement under both the state and federal certification process and will remain in place. ~~All precinct ballot counters that have been certified for use in Texas elections are required to have real-time audit logs that are maintained internally.~~ Precinct ballot counters used during early voting must be secured to prevent tampering in accordance with procedures provided in 1 T.A.C § 81.52 and procedures outlined in this advisory.

1 T.A.C. § 81.62 – Audit Logs for an Election Management System's Central Accumulator

Under 1 T.A.C. § 81.62, a central accumulator is defined as the part of an Election Management System that tabulates and/or consolidates the vote totals for multiple precincts/devices. Currently, all central accumulators are required to have a continuous feed audit log printer. As a result of the petition-initiated rule change, this requirement for the continuous feed audit log printer will be repealed effective November 7, 2017.

Formatted: Underline

All central accumulators certified for use in Texas election maintain internal audit logs. This is a requirement under both the state and federal certification process and will remain in place. Any audit log produced by a central accumulator is an election record and must be retained for the proper preservation period.

In addition to eliminating the requirement for the continuous feed printer, the changes to 1 T.A.C. § 81.62 require a full audit log to be printed after the tabulation of results is completed on election night, and provide a procedure for poll watchers to gain access to these audit logs during the tabulation process.

1 T.A.C. § 81.62(g) provides that a poll watcher may request a printed copy of an audit log produced by a central accumulator:

1. Before any votes are tabulated,
2. After early voting results are tabulated, and
3. Immediately following the completion of the vote tabulation.

Once a request for a report has been made, the central counting station manager or tabulation supervisor is required to print a copy of the audit log at the required time and make a copy of it available to any and all poll watchers that have requested a copy of the audit log. You do not need to print an official audit log separately for multiple requestors. Once a copy is printed, it can be copied and provided to the different requestors. Additionally, if you anticipate receiving these requests, we would suggest you provide for the printing of these audit logs in your central counting station plan.

2. New Procedures for the use of Precinct Ballot Counters

The changes to Sections 81.52 and 81.62 of the Texas Administrative Code have the immediate effect of allowing precinct ballot counters to be used in additional ways to efficiently and accurately count ballots. As a result of the changes, precinct ballot counters can now also be used as central accumulators, allowing for their use by the early voting ballot board or at a central counting station. The Secretary of State has provided the following procedures to ensure the proper use of precinct ballot counters when used for counting early voting in person ballots, election day ballots, and by mail ballots:

a. Testing Requirements

Acceptance Testing

Acceptance testing must be done on the precinct ballot counters when they are first delivered by the vendors. The acceptance testing includes verification that the system delivered is certified by the Secretary of State, a hardware diagnostic test, and a logic and accuracy (L&A) test simulating a mock election. See Election Advisory No. 2014-06.

Formatted: Underline

Pre-Election Testing

Like central counting station tabulators, precinct ballot counters must be tested in accordance with Subchapter D of Chapter 127 of the Texas Election Code, to the extent those procedures can be made applicable to the devices. This means you have to conduct the first required test of the tabulation equipment. The Secretary of State has determined that it is not feasible to conduct a second and third tabulation test in the case of precinct ballot counters. (Section 127.152 of the Texas Election Code; Election Advisory No. 2014-06). In addition to the requirements for the testing of the tabulation equipment, precinct ballot counters must also be included in pre-election testing including the L&A test and the hardware diagnostic test.

Post-Election Testing

After each election, precinct ballot counters are subject to a post-election audit, known as the partial manual count. The directions for a partial manual count may be found in Section 127.201 of the Texas Election Code and in subsequent communications from the SOS related to each election.

b. Establishing a Central Counting Station

When an entity decides to use a precinct ballot counter for the counting of their early voting or election day ballots, they must decide whether they will have a traditional polling place set up or establish a central counting station.

In a **traditional polling place** set-up, precinct returns are generated at each precinct polling place and early voting in person ballots and early voting by mail ballots are counted by the early voting ballot board. The returns are then delivered to the General Custodian of election records and the unofficial tabulation of election results is generated in accordance with Section 66.056 of the Texas Election Code.

In a **central counting station** set-up, the authority ordering the election must create a central counting station and appoint a central counting station manager, tabulation supervisor, and presiding judge. The central counting station counts all early voting by mail ballots. The precinct records, voted ballots, and electronic media from the precinct ballot counters used for early voting in person and election day would be delivered to the central counting station where the electronic media would be read in a central accumulator. The central counting station would be responsible for creating both precinct returns and the unofficial tabulation of election results in accordance with Section 66.056 of the Texas Election Code.

Even if your entity has decided to use a **traditional polling place** set-up, you are still required to establish a central counting station and appoint the required personnel in case there are discrepancies of four or more in your ballot totals under Section 127.156 of the Election Code or two or more irregularly marked ballots under Section 127.157 of the Texas Election Code. This central counting station is not required to convene unless it is necessary under Section 127.156 and Section 127.157 of the Election Code. They are on "stand by" in case one of those scenarios requires your ballots be counted at the central counting station. If you do not have individuals you can appoint to these positions, the SOS recommends that you appoint your early voting ballot board presiding judge and clerks as central counting station personnel as these individuals will have experience and knowledge of counting procedures.

3. Early Voting by Personal Appearance - Precinct Ballot Counter Procedures

1 T.A.C. § 81.52, certain provisions of the Texas Election Code and this advisory provide procedures on how to use precinct ballot counters PBCs for early voting in person.

1. General Requirements

- a. Precinct ballot counters used during early voting may not be used for voting on election day. You are prohibited under Texas law from counting your ballots (printing results tapes) until the polls open on election day or the when the ballot have been delivered to the early voting ballot board or central counting station for counting, whichever is applicable to your election (Sec. 81.0241, Texas Election Code).
- b. In accordance with Section 85.032 of the Texas Election Code, the ballot box connected to a precinct ballot counter that is used during early voting by personal appearance must have two locks, each with a different key, and must be designed

and constructed so that the box can be sealed to detect an unauthorized opening of the box.

- c. The precinct ballot counter must have the capability of being sealed to prevent any unauthorized deposit of ballots in the box.

2. At the Early Voting Location

- a. The early voting clerk or deputy early voting clerk at each early voting location shall inspect the precinct ballot counter to ensure that all locks and seals are properly affixed to the precinct ballot counter.
- b. Immediately prior to the opening of the polls on the first day of early voting by personal appearance, a zero tape shall be run. If the tape properly reads "0" for all candidates and propositions, voting may begin. (1 T.A.C. § 81.52)
- c. At the close of each day's voting, the presiding judge shall print a report showing the total number of ballots cast on the precinct ballot counter through that day (the "daily ballot count report").

i. Alternate Procedure for ES&S M100:

Formatted: Font: 11 pt

- 1. If the precinct ballot counter is not capable of printing reports that show the total number of ballots cast on the device during the early voting period, the early voting officials at each early voting location shall complete a daily ballot count report by reviewing the public counter on each precinct ballot counter at the beginning of each day of voting and at the end of each day of voting and noting the public count from each reading on the form.
- 2. This report will indicate how many ballots were cast on the precinct ballot counter at the start of early voting and at the close of voting each day during the early voting period.

~~d.3.~~ This report must be signed by at least two early voting officials every time an entry is made on the form. If poll watchers are present, they must be permitted to sign the form.

Formatted

- ~~e.d.~~ The precinct ballot counter's doors must be locked and sealed with a numbered paper seal. The precinct ballot counter must be unplugged and secured for the evening. (1 T.A.C. § 81.52)

NOTE: A paper-numbered paper seal is the minimum requirement or securing the precinct ballot counter's door. Some precinct ballot counters will provide slots for more sophisticated tamper-evident or tamper-resistant seals. If a stronger, more secure numbered seal can be used, this will meet the security requirements outlined in the rule.

- ~~i.e.~~ Prior to voting on each day of the period, the precinct ballot counter must be unplugged back in and a tape (report) run to indicate that the counter has not been disturbed since the previous day's voting and that voting may continue. (1 T.A.C. § 81.52)

Formatted: Space After: 6 pt

- f. At the conclusion of early voting by personal appearance, the precinct ballot counter shall be locked, sealed, and secured by the Early Voting Clerk until Election Day (1 T.A.C. § 81.52).
- g. The precinct ballot counter, electronic media, voted ballots, and election records shall be secured and transferred to the General Custodian of Election records (if different from the Early Voting Clerk) until election day or the time for counting ballots under Section 87.0241 of the Texas Election Code.

a. Counting by Early Voting Ballot Board

1. ~~The early voting clerk shall place a notice~~ For each meeting of the early voting ballot board meeting that involves the breaking of seals and running of totals, the early voting clerk shall place a notice in the same place and same manner, as any other required notices posted in accordance with Section 87.023 of the Texas Election Code. (1 T.A.C. § 81.52)
2. At the proper time designated for tabulation, the presiding judge of the early voting ballot board must inspect the precinct ballot counter to determine whether the seals are intact and that they match the serial numbers listed on the ballot and seal certificate. (1 T.A.C. § 81.52)
3. The audit log must also be inspected by the presiding judge of the early voting ballot board to determine that there has been no unauthorized access to the precinct ballot counter. (1 T.A.C. § 81.52)

a. Alternate Procedure for Hart Verity Scan and HVS eScan, and ES&S M100:

Formatted: Font:

- i. If the device is not capable of printing an audit log without breaking the seals, the presiding judge shall compare the daily ballot count reports to determine whether or not there has been any unauthorized access to the precinct ballot counter.
4. If the seal is not intact, the early voting results may not be used and the early voting ballots must be re-counted either manually or with a different tabulation device, if available. (1 T.A.C. § 81.52)
5. If the audit log (or daily ballot count reports, if applicable) indicate unauthorized activity, the early voting results may not be used and the early voting ballots must be re-counted using the standard election day procedures. (1 T.A.C. § 81.52)
6. If the seal is intact and the log (or daily ballot count reports, if applicable) appear(s) in order, the seal should be broken and the ballots removed to a separate container. The electronic media should be removed and transferred to the accumulator, if applicable. (1 T.A.C. § 81.52)
7. The polls are closed on the counter and a "totals" printout is printed. The judge shall print out three copies of the results tape or results report, whichever is applicable, unless instructed to print more by the general custodian of election records. (1 T.A.C. § 81.52)
8. The presiding judge of the early voting ballot board shall prepare early voting precinct returns using the printed results tapes or reports, and any tally sheets used for the manual counting of write-in votes, if applicable.

9. The early voting results, electronic media, voted ballots, and any other associated records shall be transferred to the general custodian of election records.
10. If a full audit log was not previously printed, a full audit log from the device must be printed and maintained with the precinct election records.
11. The audit log shall be preserved for six months after election day, or 22 months following election day in an election involving a federal office, for elections taking place prior to December 1, 2017. For elections taking place on or after December 1, 2017, the audit log shall be preserved for 22 months following election day for all elections (*See* 65.058, Texas Election Code; 66.058(a), Texas Election Code (as amended by SB 5 (85th 1st Special Session))

Formatted: Font: Italic

12. Any deviation from this procedure must be approved in writing by the Secretary of State. (1 T.A.C. § 81.52)

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 0.88", Left + 0.94", Left

b. Counting by Central Counting Station

1. The early voting clerk shall place a notice of the hour and location of the convening of the central counting station, in the same manner as any other required notices posted in accordance with ~~Section 87.023~~ of the Texas Election Code.
2. At the proper time designated for tabulation, the presiding judge of the central counting station must inspect the precinct ballot counter to determine whether the seals are intact and that they match the serial numbers listed on the ballot and seal certificate. (1 T.A.C. § 81.52)
3. The audit log must also be inspected by the presiding judge of the central counting station to determine that there has been no unauthorized access to the precinct ballot counter. (1 T.A.C. § 81.52)

Formatted: Tab stops: 0.88", Left + 0.94", Left

a. Alternate Procedure for Hart Verity Scan and HVS eScan and ES&S M100:

Formatted: Font:

- i. If the device is not capable of printing an audit log without breaking the seals, the presiding judge shall compare the daily ballot count reports to determine whether or not there has been any unauthorized access to the precinct ballot counter.
4. If the seal is not intact, the early voting results may not be used and the early voting ballots must be re-counted either manually or with a different tabulation device, if available. (1 T.A.C. § 81.52)
5. If the audit log (or daily ballot count reports, if applicable) indicates unauthorized activity, the early voting results may not be used and the early voting ballots must be re-counted using the standard election day procedure. (1 T.A.C. § 81.52)
6. If the seal is intact and the audit log (or daily ballot count reports, if applicable) appears in order, the seal should be broken and the ballots removed to a separate container. The electronic media should be removed and transferred to the accumulator. (1 T.A.C. § 81.52)
7. The polls are closed on the counter, and a "totals" printout is printed. The judge shall print out three copies of the results tape or results report, whichever is applicable, unless instructed to print more by the general custodian of election records. (1 T.A.C. § 81.52)

8. The number of ballots recorded on the ballot and seal certificate shall be compared to the number of ballots listed on the results tape or results report, whichever is applicable. If a discrepancy of four or more exists, the official tabulation of the ballots shall be conducted at a central counting station in accordance with § 127.156 of the Texas Election Code.
9. The counted ballots shall be removed from the precinct ballot counter and examined for irregularly marked ballots for processing in accordance with §127.157(b) - (e) of the Texas Election Code. If there are two or more irregularly marked ballots that must be reconciled, the official tabulation of the ballots shall be conducted at a central counting station in accordance with § 127.157(c).
10. If there is no discrepancy of four or more in ballot totals and not more than two or more irregularly marked ballots that must be reconciled, the electronic media contained in the precinct ballot counter shall be given to the presiding judge for accumulation of early voting results. The printed results shall be maintained with the election records for that election.
11. If a full audit log was not previously printed, a full audit log from the device must be printed and maintained with the precinct election records.
12. The audit log shall be preserved for six months after election day, or 22 months following election day in an election involving a federal office, for elections taking place prior to December 1, 2017. For elections taking place on or after December 1, 2017, the audit log shall be preserved for 22 months following election day for all elections (*See* 65.058, Texas Election Code; 66.058(a), Texas Election Code (as amended by SB 5 (85th 1st Special Session))
13. Any deviation from this procedure must be approved in writing by the Secretary of State. (1 T.A.C. § 81.52)

4. Early Voting by Mail Ballots – Counting on a Precinct Ballot Counter

Early voting by mail ballots may be counted on a precinct ballot counter. If you have a separate precinct ballot counter used exclusively for by mail ballots, you will need to follow the same steps you would follow for the counting of ballots as you would if you were using a central scanner as the precinct ballot counter. If you would like to use the same precinct ballot counter that was used to count your early voting in person ballots, the procedures below must be followed.

1. If a precinct ballot counter was used during early voting by personal appearance, the same precinct ballot counter can be used to count early voting ballots by mail. The following requirements must be met:
 - a. All appropriate documentation including rosters and voting history must be maintained separately for early voting ballots cast by mail and early voting ballots cast in person.
 - b. The presiding judge of the central counting station or presiding judge of the early voting ballot board, (if the central counting station is not convened), whichever is applicable, shall print a report that shows no unauthorized ballots were cast on the

precinct ballot counter after the close of early voting by personal appearance. The report shall show that the total number of ballots from early voting in person is equal to the number of ballots cast on the machine.

- c. The presiding judge of the central counting station or presiding judge of the early voting ballot board, whichever is applicable, shall remove from the precinct ballot counter the voted ballots from early voting in person and place them in a secure container.
 - d. The presiding judge of the central counting station or presiding judge of the early voting ballot board, whichever is applicable, shall scan the early voting by mail ballots that were accepted for counting.
 - e. Upon completion of the scanning, the early voting by mail ballots shall be removed from the precinct ballot counter, and shall be placed in a secure container.
 - f. The early voting in person ballots and the early voting by mail ballots may be stored in the same container, but must be maintained separately within that container.
2. The presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall record the total number of early voting by mail ballots that were run through the precinct ballot scanner on the ballot and seal certificate.
 3. The presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall print two copies of the results tape or results report, whichever is applicable, unless instructed to print more by the general custodian of election records.
 4. The presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall verify that the total number of ballots scanned on the precinct ballot counter is equal to the sum of the total number of ballots scanned from early voting by personal appearance at that location and the total number of early voting by mail ballots scanned on the precinct ballot counter.
 5. Upon completion of the verification of ballot numbers, the presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall follow the same steps required for counting ballots by the early voting ballot board or central counting station as applicable.
 6. Any deviation from this procedure must be approved in writing by the Secretary of State.

5. Election Day Ballots - Precinct Ballot Counter Procedures

In addition to the procedures outlined in Section 81.52 of the Texas Administrative Code, these are the procedures that should be followed on election day when using a precinct ballot counter in a polling place.

1. Immediately prior to the opening of the polls, the election judge shall inspect the precinct ballot counter to ensure that all locks and seals are properly affixed to the precinct ballot counter.
2. The election judge shall verify and document the serial numbers of the equipment in use at that polling place.
3. The election judge shall run a report that shows that zero ballots have been cast on the precinct ballot counter. If the tape properly reads "0" for all candidates and propositions, voting shall begin.
4. After the polls close or the last voter has voted, whichever is later, the election judge must secure the precinct ballot counter so that no additional ballots can be deposited in to the precinct ballot counter.
5. The election judge must close or suspend the polls, whichever is applicable to that system, on the precinct ballot counter and print three copies of the results tape or results report, whichever is applicable.
6. The election judge shall compare the number of ballots recorded on the ballot and seal certificate to the number of ballots listed on the results tape. If a discrepancy of four or more exists, or there are two or more irregularly marked ballots, the official tabulation of the ballots shall be conducted at a central counting station in accordance with 127.157(b)-(e) of the Texas Election Code. (See Section 5b of this Advisory, Election Day Ballots -- Precincts Completed at the Central Counting Station).
7. If no ballots need to be sent to the Central Counting Station, then election judge can continue to process results in the polling place. (See Section 5a of this Advisory, Election Day Ballots -- Precinct Returns Completed at the Polling Place).

a. Election Day Ballots -- Precinct Returns Completed at the Polling Place.

These procedures should be followed if the political subdivision does **NOT** intend to be completing their final tabulation at a central counting station.

1. After the results tapes have been printed, the counted ballots shall be removed from the precinct ballot counter and examined for irregularly marked ballots for processing in accordance with Section 127.156 of the Texas Election Code.
2. If there are two or more irregularly marked ballots that were improperly tabulated because of the irregular marks, the ballots shall be separated from the ballots that were properly marked and all of the ballots shall be delivered to a central counting station.
3. If there is no discrepancy in ballot totals and no irregularly marked ballots, the election official shall review the write-in votes, if any, in accordance with Section 65.008 of the Texas Election Code.
4. The election judge shall then prepare the precinct returns from the results tape printed, and if applicable, from the write-in votes hand tallied by the precinct election judges and clerks.

5. The precinct returns, voted ballots, electronic media from the precinct ballot counter, precinct election records, and the remaining supplies shall be delivered to the general custodian of election records, immediately after the precinct returns are completed in accordance with Section 66.053 of the Texas Election Code.
6. The custodian shall prepare unofficial tabulation of election results in accordance with Section 66.056 of the Texas Election Code.

b. Election Day Ballots -- Precinct Returns Completed at Central Counting Station

These procedures should be followed if the political subdivision has created a central counting station for the processing of election results. At a central counting station, the presiding judge is responsible for producing both precinct returns and election totals.

1. At the Polling Place

a. Precinct ballot counter returned to central counting station.

- i. After the results tapes have been printed, the election judge shall lock and seal the precinct ballot counter to prepare it for delivery back to the central counting station. The voted ballots and precinct election records shall be placed in a secure transfer case.
- ii. The precinct ballot counter and the transfer case containing the voted ballots and precinct election records shall be delivered to the presiding judge of the central counting station in accordance with Section 127.066(c) of the Texas Election Code.

b. Precinct Ballot Counter NOT returned to central counting station.

- i. If the precinct ballot counter itself cannot be removed from the polling place, the election judge shall remove the electronic media from the precinct ballot counter.
- ii. The electronic media, voted ballots and precinct election records shall be placed in a secure transfer case and shall be delivered to the presiding judge of the central counting station in accordance with Section 127.066(c) of the Texas Election Code.

2. At the Central Counting Station:

- a. The presiding judge shall unlock and unseal the precinct ballot counter, if applicable and remove the electronic media.
- b. If the electronic media was transported in a separate transfer case, the presiding judge shall open the transfer case and remove the electronic media.
- c. The voted ballot shall be removed from the transfer case.
- d. The ballots shall be examined for the irregularly marked ballots for processing in accordance with Section 127.157 (c)-(e) of the Texas Election Code.
- e. If there are no irregularly marked ballots, the electronic media shall be transferred to the manager of the central counting station for accumulation.

- f. Write-in votes shall be reviewed for voter intent by the presiding judge or clerks designed by the presiding judge. The results shall be added either manually or electronically to those for ballots counted by the precinct ballot counter. (127.130)
- g. The presiding judge of the central counting station shall be responsible for preparing precinct returns in accordance with Section 127.131 of the Texas Election Code.

6. Ballot Box Capacity Emergencies

There have been instances reported to the Secretary of State, during the early-voting-in-person period, when the number of ballots inserted into a precinct ballot counter exceeded the capacity of the precinct ballot counter's ballot box. As a best practice, the number of ballots placed in the precinct ballot counter should be monitored, and when the capacity of the box is being neared, a new precinct ballot counter should be brought in, and the first one locked, sealed and secured until the time for counting ballots. However, not all political subdivisions will have the funding to purchase additional equipment for this purpose as not all elections will have the same turnout and require additional equipment.

If a political subdivision has an insufficient quantity of precinct ballot counters, the Secretary of State has authorized the following procedures in accordance with 85.032(e) when: (1) the number of voted ballots will exceed the precinct ballot counter's ballot box capacity, (2) all precinct ballot counters at that location are full, and (3) no additional precinct ballot counters are available.

1. When the early voting clerk determines that a precinct ballot counter is nearing capacity, the early voting clerk shall notify the County Sheriff (or whoever has possession of the second ballot box key in accordance with Sec. 66.060 of the Texas Election Code) of the need to transfer voted ballots out of a precinct ballot counter.
2. In an election in which a political party has a candidate on the ballot, the early voting clerk shall also notify the county party chairs of the need to transfer voted ballots out of a precinct ballot counter.
3. When the polls are closed for the day, and in the presence of the Sheriff (or other key-holder), ~~if applicable~~, the early voting clerk shall open the precinct ballot counter and remove the voted ballots.
4. The ballots shall be placed in a transfer case that contains two locks and can be sealed with a tamper evident or tamper resistant seal as required under Section 85.032(b) of the Texas Election Code.
5. The deputy early voting clerk, Ssheriff (or other key-holder), and any poll watchers present must sign a log that details:
 - a. the date and time that the precinct ballot counter was opened,
 - b. the numbers of the seals that have been removed,
 - c. the numbers of the seals that are attached, and
 - d. the seal numbers of the ballot box(es) to which the voted ballots were removed.

6. The voted ballots shall then be transported to the general custodian of election records for storage.
7. Poll Watchers can be present for this process.

KI:CA

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, November 06, 2017 11:16 AM
Subject: Mass Email--CC/EA/VR--Precinct by Precinct For November 7, 2017

Precinct by Precinct Report

To: All Elections Officials
From: Keith Ingram, Director of Election
Date: November 7, 2017
RE: Precinct by Precinct Report



After the canvass has been completed, you will need to complete the **precinct-by-precinct report**. All election results are required to be submitted to the Secretary of State pursuant to Section 67.017 of the Texas Election Code.

All counties will need to submit a precinct-by-precinct report for the constitutional amendment election, and any county ordered election held on November 7, 2017.

All cities, schools or other political subdivisions will need to submit a precinct-by-precinct report for any general or special elections. NOTE: In situations where you entered into a contract for election services or a joint election agreement with a county, the county may assist you in completing this report per the terms of your agreement.

Please read the following important information about submitting your precinct-by-precinct report:

1. If you cancelled your election(s), you still need to complete the report. Instead of inputting your election results, you are just notifying our office that you do not have any results as your election was cancelled. Please see page 15 of the instructions for more information.
2. You must complete this report for all elections, both general and special. Section 67.017 of the Election Code requires this report to be filed for all candidates and measures for each election. Therefore, this includes bond elections, as they are special elections.

Information for logging into the system:

1. You may access the online reporting system by clicking on this link:
<https://efm.sos.state.tx.us/votecount/signon.asp>
2. The temporary password for everyone is: polsubpw9

If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

Information for entering in your precinct-by-precinct results:

1. **You should not input your results until after you have canvassed your election.** The report is meant to capture final election results.
2. **You must include both the early votes and election day votes by precinct for all races reported.**
3. We have designed three methods by which you can submit this report to our office:
 1. You can upload your results through the link above via the Secretary of State defined Excel spread sheet and attach it to a web browser;
 2. You can attach a file from your vote count machine (confer with your vendor for specific details);
 3. You can “build” your own report by inputting your precinct returns directly into the system.

The instructions for inputting results are online.

4. **The precinct by precinct returns are required to be filed not later than 30 days after the election, Thursday, December 7, 2017.**

If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov, or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

KI:CA

Alexy Rios

From: "Srader, Sabra" <sabra.srader@co.wise.tx.us> (TAC-Elections at list.county.org) <tac-elections@list.county.org>
Sent: Tuesday, November 07, 2017 8:50 AM
To: TAC-Elections
Subject: [TAC-Elections] RE: Canvass

Message from: sabra.srader@co.wise.tx.us

Gracie, see Chapter 67 of the Election Code. Also, Keith Ingram sent out a corrected memorandum dated September 27, 2017 with canvass info.

Sabra Srader, CERA

Wise County Elections Administrator


P.O. Box 1597

Decatur, Texas 76234

940-626-4453

From: Gracie Mendoza <gmendoza@co.andrews.tx.us> (TAC-Elections at list.county.org) [<mailto:tac-elections@list.county.org>]
Sent: Tuesday, November 07, 2017 8:31 AM
To: TAC-Elections
Subject: [TAC-Elections] Canvass

Message from: gmendoza@co.andrews.tx.us



Good Morning and happy Election Day!!

What is the first day we can canvass the election and where can I find that in the code?

Thank you in advance ☺

Gracie Mendoza

Andrews County Elections Administrator

P.O. Box 7 Andrews, TX 79714

Send TAC-Elections mailing list submissions to
tac-elections@list.county.org

To subscribe via the World Wide Web, visit
<http://list.county.org/lists>

To update your personal information or unsubscribe
via the World Wide Web, visit
<http://list.county.org/ips-cp>

Send TAC-Elections mailing list submissions to
tac-elections@list.county.org

To subscribe via the World Wide Web, visit
<http://list.county.org/lists>

To update your personal information or unsubscribe
via the World Wide Web, visit
<http://list.county.org/ips-cp>

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, November 09, 2017 4:58 PM
Subject: Mass Email--CC/EA/VR--Survey on Chapter 107 - Early Voting by Mail for Residential Care Facility Voters

Dear County Election Officials:

You are being asked to take a short survey about the recently enacted legislation that provides a method for individuals in a Residential Care Facility (RCF)—such as a nursing home or assisted living center—to vote by mail but have their blank ballots hand-delivered to them and the completed ballots returned to the Early Voting Clerk by election judges.

We would greatly like to learn about your experiences in conducting voting under Chapter 107. To that end, we have designed this survey in order to elicit your feedback on the procedure, especially about aspects of the program that worked well or where problems, questions, or confusion arose.

Here is the link to the survey: <https://www.surveymonkey.com/r/Y9F68M8>

As a reminder, please note that SB 5 (85th Legislature, Special Session 2017) repealed Chapter 107, effective December 1, 2017. Thus, Chapter 107 will not apply to any **runoff elections** stemming from the November election date or **second elections** held due to a tie that are scheduled on or after December 1, 2017, even if early voting for those elections starts prior to December 1, 2017. Any ABBMs submitted for a November 7 election requesting a ballot for any runoff or an annual ABBM would still be considered a valid ABBM and would cause the early voting clerk to mail ballots to those voters in the normal manner.

We would appreciate your responses at your earliest convenience. We understand there are other reports you are currently working on.

Thank you for all of your hard work,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, November 10, 2017 2:17 PM
Subject: Mass Email--CC/EA--Reasonable Impediment Declarations

Hello Everyone,

Thank you all for your hard work this week. This is just a reminder that we would like you to send us scanned copies of any Reasonable Impediment Declarations submitted by voters for the November 7, 2017 uniform election.

Scanned copies can be emailed to our office at elections@sos.texas.gov

Let us know if you have any additional questions or concerns.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, November 16, 2017 9:12 AM
Subject: Mass Email--CC/EA--Advisory 2017-21 Expansion of definition of DRE (KP-0170)
Attachments: ADV2017-21 -Expansion of definition of DRE (KP-0170).pdf

Dear Election Officials,

On October 24, 2017, the Office of the Attorney General issued Opinion No. KP-0170 which opined on the definition of "direct recording electronic voting machine" ("DRE") as it is defined in Subsection 121.003(12) of the Texas Election Code. This OAG opinion indicates that DREs, as defined by Texas law, may include voting machines that produce marked paper ballots, and are not limited to only a single piece of equipment in a polling place.

The Secretary of State has issued **Advisory 2017-21** (attached) to further explain how this expanded definition impacts currently certified voting systems. This advisory also addresses the implications of using a Texas-specific DRE system.

Please let us know if you have any questions or concerns.

Thank you,

Christina Worrell Adkins
Interim Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.state.tx.us/elections



Alexy Rios

From: Bradley Burnett <BBurnett@sos.texas.gov>
Sent: Thursday, November 16, 2017 10:41 AM
To: Elections Internet
Subject: Friendly Reminder to Canvas by the 20th
Attachments: 2017 Instructions and Procedures for Filing the Statement of Canvass.pdf

Hello

This is a reminder that your Constitutional Amendment Election **MUST** be canvassed no later than Monday November 20th.

Our office will be closed next week for Thanksgiving on November 23rd and 24rd.

Bradley Burnett

Office of the Texas Secretary of State
Elections Division ♦ Executive Assistant
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252. 8683 ♦ www.sos.state.tx.us/elections
D: 512.463.2484
bburnett@sos.texas.gov

For Voter Related Information, please visit:



Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>



The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks/Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: November 8, 2017

RE: Instructions and Procedures for Filing the Statement of Canvass

Pursuant to Section 67.007 of the Texas Election Code, the County Clerk/Elections Administrator must certify the county returns as canvassed by the commissioners court and deliver those returns to the Secretary of State not later than 24 hours after the completion of the canvass.

HB 929 (85th Legislature, RS, 2017) amended Section 67.003 of the Election Code to now require the commissioners court to canvass the returns for the Constitutional Amendment election not earlier than Friday, November 10, 2017 or later than Monday, November 20, 2017. Only two members of the commissioners court are required to be present to canvass the returns.

HB 1151 and HB 929 (85th Legislature, RS, 2017) amended Sections 86.007 and 101.057 of the Election Code to provide new time frames to receive ballots voted by mail. As a result of these changes, you may need to reconvene the early voting ballot board to count any ballots that were placed in the mail by 7:00 p.m. on Election Day and arrived in your office by 5:00 p.m. on November 8, 2017 (late domestic ballots), or arrived in your office by November 13, 2017 (Military and Overseas Voters). See [Advisory 2017-11](#) for more details. Section 65.051 of the Code requires the board to reconvene to qualify and count provisional ballots. These two functions of the board may be performed at the same meeting. The votes from the late ballots and provisional ballots must be included in the official canvass by the court.

We have created a web-based application, which was used on election night to report the official returns to our office, to report canvass votes. If you did not report the elections night votes via the Internet, you are still required to use the web to report official canvass votes. You will open the website and login with your user name and password.

URL: <https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>

The user name and password are the same as you used on election night. If you did not enter the returns via the Internet or do not have your login and password, you can contact Louri at 1/800-252-2216, option 4. When you log on, you will click on the **Canvass** button next to the election.

For races not reported on election night the fields will be blank. All of the races that you report to our office will be included on the screen for you to enter votes. Once you have finished the canvass report, click the review button to proof your entries, then check the certify check box and click on save button to save canvass votes. You will see a confirmation page to print, sign and return to our office. On the mailing envelope indicate Elections Returns for _____ County, November 7, 2017 Election and return the signed copy to our office.

The canvass report will include:

- Total number of voters voted;
- Total number of provisional ballots casted;
- Total number of provisional ballots counted;
- Total votes cast for each proposition, both In Favor and Against;
- Certification; and
- Place to sign and date

We request all vote totals be reported via the web database not later than the end of business Tuesday, November 21, 2017 (24 hours after the last day to canvass locally). This will help facilitate the canvass by the Governor.

If you have any questions, please contact us toll-free at 1-800-252-2216, option four.

KI:LO

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us




Rolando B. Pablos
Secretary of State

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

ELECTION ADVISORY **NO. 2017-21**

TO: Election Officials

FROM: Keith Ingram, Director of Elections 

DATE: November 16, 2017

RE: Expansion of definition of DRE (OAG Opinion - KP-0170)

On October 24, 2017, the Office of the Attorney General issued Opinion No. KP-0170 ("opinion") which opined on the definition of "direct recording electronic voting machine" ("DRE") as it is defined in Subsection 121.003(12) of the Texas Election Code, and whether this definition could include "electronic voting machines that also produce marked paper ballots." This opinion concluded that voting machines that produce marked paper ballots may qualify as DREs as long as they meet the statutory requirements of a DRE. Additionally, the opinion provided that under Texas law, the definition of a DRE does not specify that a DRE must only constitute a single piece of equipment.

In light of this recent OAG opinion, this Election Advisory address several items relating to the affected voting systems.

EAC Certification Requirements

Under Section 122.001 (a)(3) of the Texas Election Code, a voting system may not be used in an election unless the system "complies with the voting system standards adopted by the Election Assistance Commission." All components certified for use in Texas elections must be certified by the Election Assistance Commission ("EAC"). However, the definition of DRE under the Texas Election Code, as interpreted by KP-0170, may include more than a single piece of equipment and may include a marked paper ballot. Therefore, under Texas law, a combination of EAC-certified components, when presented together, may constitute a DRE system. If the component parts of the DRE system have been certified by the EAC, they would meet the requirement under Section 122.001(a)(3) for EAC certification. The Secretary of State has determined that a DRE system is EAC-certified when it consists of (1) a ballot marking device, and (2) a precinct ballot counter, both pieces of equipment are used together in one polling place, and both pieces of equipment have been certified by the EAC.

Currently, there are two vendors in Texas that have systems that may constitute a DRE voting system based on their component parts.

1. Hart Intercivic Verity Voting 1.0 and 2.0: These systems, as certified on December 15, 2016 (as updated on October 26, 2017), include, among other components, the Verity Touch Writer with Access (EAC-certified ballot marking device) and Verity Scan (EAC-certified precinct scanner).
2. ES&S EVS 5.2.1.0, 5.2.2.0, and 5.4.0.0: These systems, as certified on December 15, 2016 (as updated on October 26, 2017) (EVS 5.2.1.0), and July 28, 2017 (as updated on October 26, 2017) (EVS 5.4.0.0 and EVS 5.2.2.0) include, among other components, the ExpressVote (EAC-certified ballot marking device) and the DS200 (EAC-certified precinct scanner).

Modifications to Existing Certifications

If a vendor has a system that has been previously certified by the Secretary of State for use in Texas elections and would like the certification modified to include the use of the system as a DRE system under the expanded, Texas-specific definition of a DRE system, when that system was not examined as DRE system during the certification process, the vendor must seek a modification to the certification under Chapter 122, Subchapter C, Texas Election Code. An application must be submitted for review in accordance with Section 122.063 of the Texas Election Code. The Secretary of State will review the application and determine whether the modified design satisfies applicable requirements, in accordance with Section 122.064 of the Texas Election Code.

Future Certification Procedures

If a vendor seeking certification of a system which has not been previously certified, would like the equipment considered as a DRE system under the expanded, Texas-specific definition of a DRE system, they must indicate this on their application for certification and complete the relevant portions of Form 101 that apply to DRE systems.

DRE Requirements

Under Section 129.002(a) of the Texas Election Code, DRE systems must “provide the voter with a screen in summary format of the voter’s choice for the voter to review before the vote is actually cast.” To meet this requirement, all systems certified as a DRE system under the expanded, Texas-specific definition, must allow for voting on the component that contains the full presentation of the voter’s ballot and summary screen. The tabulation portion of the voting process may occur on a component that is separate from the component the voter uses to make their selections and mark their ballot.

Section 123.005 of the Texas Election Code provides that only one kind of voting system may be used at a polling place in an election. In order to comply with this section, all voting (ballot marking) must occur on the DRE device that records the voter’s choices even if the tabulation occurs on a separate device. Voters may not separately mark by hand a pre-printed ballot, but instead, must utilize the DRE device when marking their ballot in the polling place. Additionally, DRE systems are precinct-based systems. Even when a central accumulation station is established for the accumulation of vote totals, the counting/tabulation of ballots occurs at the election day precinct or polling place. Therefore, the counting/tabulation component of the DRE system must also be utilized at the polling place. Accordingly, voters cannot utilize the DRE device to mark their ballot, then deposit their marked ballot or cast vote record into a pre-locked, pre-sealed ballot box for transfer to a central counting station for counting/tabulation.

NOTE: If equipment malfunctions or there are irregularly marked ballots, there are circumstances where the ballots **MUST** be transferred to the central counting station for counting/tabulation. These

are exceptions to the requirement that DRE voting/ballot marking and counting/tabulation must occur at the precinct polling place. Please see Advisory 2017-17 for more details.

Requirements for systems with paper components

DRE systems that have a paper-based component will be expected to meet requirements associated with paper-based systems to the extent they can be feasibly and consistently applied to a DRE system. Various sections of the Texas Election Code provide that if (and only if) a paper-based Texas Election Code requirement can feasibly be applied to a DRE system, and is not inconsistent with provision(s) applicable to voting systems and/or DRE systems, it should be applied to a DRE system. *See, e.g.,* TEX. ELEC. CODE § 121.001; TEX. ELEC. CODE § 129.001(b). The following paper-based system requirements can feasibly and consistently be applied to a DRE system under the expanded, Texas-specific definition of a DRE system, which have a paper-based component.

1. **Partial Manual Count:** Section 127.201(g) of the Texas Election Code exempts DREs from having to complete the partial manual count. DRE systems under the expanded, Texas-specific definition of a DRE system, which have a paper-based component, are **required** to complete the partial manual count unless it has been waived by the Secretary of State pursuant to Section 127.201(f) of the Texas Election Code.
2. **Recounts:** Section 214.042 of the Texas Election Code provides that a recount must be conducted electronically or manually. For a DRE system under the expanded, Texas-specific definition of a DRE system, this means that the paper component that contains the voter's selections (full ballot or cast vote record) is the ballot of record for the purposes of a recount. If an electronic recount is requested, the paper ballot or cast vote record **must** be rescanned. An electronic recount cannot simply consist of rereading the electronic media containing device totals. If a manual recount is requested, the paper ballot or cast vote record will be hand tallied.
3. **Preservation of Voted Ballots:** The paper ballots or cast vote records are required to be preserved for a period of at least 60 days after the date of the election in a locked ballot box in accordance with Section 66.058(b) of the Texas Election Code. On the 61st day, the general custodian of election records may transfer them to another secure container for the remainder of the preservation period in accordance with Section 66.058(b) of the Texas Election Code. Additionally, the electronic media that contains the vote totals must also be preserved for the duration of the preservation period.

Countywide Polling Place Program

Section 43.007(d)(4) of the Texas Election Code provides that the Secretary of State shall only select counties to participate in the countywide polling place program that use DRE systems. Section 43.007(d)(5) of the Texas Election Code further provides that the Secretary of State can only select counties to participate in the program that “have the appropriate technological capabilities.” As a result of KP-0170, DRE systems under the expanded, Texas-specific definition of a DRE system, which have a paper-based component, are now available for use in the countywide polling place program.

For new applicants to the countywide polling place program: The Secretary of State will review new applications to determine whether a county is using traditional DREs or a DRE system under the expanded, Texas-specific definition of a DRE system, and whether the setup described in the application demonstrates that the county has the “appropriate technological capabilities” to successfully participate in the program.

For counties that have already achieved “successful” status in the countywide polling place: If a county wishes to purchase new equipment that falls under the expanded, Texas-specific definition of a DRE system (and use that system as a DRE system), the purchase contract will be reviewed by the Secretary of State in the ordinary course in accordance with Section 123.035 of the Texas Election Code. If the purchase contract for the system which meets the expanded, Texas-specific definition of a DRE system is approved (which presumes the system has been certified as a DRE system through the modification procedure referenced in Subchapter C of Chapter 122 of the Texas Election Code), then the county’s successful designation will not be affected and no further action is needed to use the DRE system in the countywide polling place program.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, November 15, 2017 8:18 AM
To: Louri O'Leary
Subject: FW: MASS EMAIL ADVISORY (CC/EA 655) Instructions and Procedures for Filing the Statement of Canvass REMINDER
Attachments: 2017 Instructions and Procedures for Filing the Statement of Canvass.pdf

Good Morning,

Please see the attached canvass instructions requiring the commissioners court to canvass the returns for the Constitutional Amendment election **not earlier than Friday, November 10, 2017 or later than Monday, November 20, 2017.**

Thank you to those of you who are already canvassed.

Thank you, Louri

From: Elections Internet
Sent: Wednesday, November 08, 2017 9:35 AM
To: Louri O'Leary <LO'Leary@sos.texas.gov>
Subject: MASS EMAIL ADVISORY (CC/EA 657) Instructions and Procedures for Filing the Statement of Canvass

Good Morning,

Pursuant to Section 67.007 of the Texas Election Code, the County Clerk/Elections Administrator must certify the county returns as canvassed by the commissioners court and deliver those returns to the Secretary of State not later than 24 hours after the completion of the canvass.

HB 929 (85th Legislature, RS, 2017) amended Section 67.003 of the Election Code to now require the commissioners court to canvass the returns for the Constitutional Amendment election **not earlier than Friday, November 10, 2017 or later than Monday, November 20, 2017.** Only two members of the commissioners court are required to be present to canvass the returns.

Please see the attached Memorandum for the full instructions and procedures for Filing the Statement of Canvass.

Thank you, Louri

Louri O'Leary

Office of the Texas Secretary of State
Elections Division ♦ Elections Administration Manager
P.O. Box 12060 ♦ Austin, TX ♦ 78711-2060
T: 800.252. 8683 ♦ www.sos.state.tx.us/elections
D: 512.463.3204 ♦ F: 512.475.2811
For Voter Related Information, please visit:



Twitter - <https://twitter.com/#!/votetexas>
Facebook - <http://www.facebook.com/votetexas>



The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks/Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: November 8, 2017

RE: Instructions and Procedures for Filing the Statement of Canvass

Pursuant to Section 67.007 of the Texas Election Code, the County Clerk/Elections Administrator must certify the county returns as canvassed by the commissioners court and deliver those returns to the Secretary of State not later than 24 hours after the completion of the canvass.

HB 929 (85th Legislature, RS, 2017) amended Section 67.003 of the Election Code to now require the commissioners court to canvass the returns for the Constitutional Amendment election not earlier than Friday, November 10, 2017 or later than Monday, November 20, 2017. Only two members of the commissioners court are required to be present to canvass the returns.

HB 1151 and HB 929 (85th Legislature, RS, 2017) amended Sections 86.007 and 101.057 of the Election Code to provide new time frames to receive ballots voted by mail. As a result of these changes, you may need to reconvene the early voting ballot board to count any ballots that were placed in the mail by 7:00 p.m. on Election Day and arrived in your office by 5:00 p.m. on November 8, 2017 (late domestic ballots), or arrived in your office by November 13, 2017 (Military and Overseas Voters). See [Advisory 2017-11](#) for more details. Section 65.051 of the Code requires the board to reconvene to qualify and count provisional ballots. These two functions of the board may be performed at the same meeting. The votes from the late ballots and provisional ballots must be included in the official canvass by the court.

We have created a web-based application, which was used on election night to report the official returns to our office, to report canvass votes. If you did not report the elections night votes via the Internet, you are still required to use the web to report official canvass votes. You will open the website and login with your user name and password.

URL: <https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>

The user name and password are the same as you used on election night. If you did not enter the returns via the Internet or do not have your login and password, you can contact Louri at 1/800-252-2216, option 4. When you log on, you will click on the **Canvass** button next to the election.

For races not reported on election night the fields will be blank. All of the races that you report to our office will be included on the screen for you to enter votes. Once you have finished the canvass report, click the review button to proof your entries, then check the certify check box and click on save button to save canvass votes. You will see a confirmation page to print, sign and return to our office. On the mailing envelope indicate Elections Returns for _____ County, November 7, 2017 Election and return the signed copy to our office.

The canvass report will include:

- Total number of voters voted;
- Total number of provisional ballots casted;
- Total number of provisional ballots counted;
- Total votes cast for each proposition, both In Favor and Against;
- Certification; and
- Place to sign and date

We request all vote totals be reported via the web database not later than the end of business Tuesday, November 21, 2017 (24 hours after the last day to canvass locally). This will help facilitate the canvass by the Governor.

If you have any questions, please contact us toll-free at 1-800-252-2216, option four.

KI:LO

Alexy Rios

From: Tiffany Owens <TOwens@sos.texas.gov>
Sent: Thursday, December 07, 2017 2:55 PM
To: Starr - Alexy Rios (elections@co.starr.tx.us)
Subject: Precinct by Precinct Return

Good afternoon here is the information for precinct return below.

Tiffany Owens

Legal Administrative Assistant IV – Elections Division
Office of the Texas Secretary of State

Telephone: 1.800.252.VOTE

www.sos.state.tx.us

Elections Related Questions: elections@sos.texas.gov

For Voter Related Information, please visit:



To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Tiffany Owens
Sent: Tuesday, December 05, 2017 10:44 AM
To: Irion - Molly Criner (irionclerk@gmail.com) <irionclerk@gmail.com>
Subject: Precinct by Precinct Return

Precinct by Precinct Report

To: All Elections Officials
From: Keith Ingram, Director of Election
Date: November 7, 2017
RE: Precinct by Precinct Report

After the canvass has been completed, you will need to complete the **precinct-by-precinct report**. All election results are required to be submitted to the Secretary of State pursuant to Section 67.017 of the Texas Election Code.

All counties will need to submit a precinct-by-precinct report for the constitutional amendment election, and any county ordered election held on November 7, 2017.

All cities, schools or other political subdivisions will need to submit a precinct-by-precinct report for any general or special elections. NOTE: In situations where you entered into a contract for election services or a joint election agreement with a county, the county may assist you in completing this report per the terms of your agreement.

Please read the following important information about submitting your precinct-by-precinct report:

1. If you cancelled your election(s), you still need to complete the report. Instead of inputting your election results, you are just notifying our office that you do not have any results as your election was cancelled. Please see page 15 of the instructions for more information.
2. You must complete this report for all elections, both general and special. Section 67.017 of the Election Code requires this report to be filed for all candidates and measures for each election. Therefore, this includes bond elections, as they are special elections.

Information for logging into the system:

1. You may access the online reporting system by clicking on this link:
<https://efm.sos.state.tx.us/votecount/signon.asp>
2. The temporary password for everyone is: polsubpw9

If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

Information for entering in your precinct-by-precinct results:

1. You should not input your results until after you have canvassed your election. The report is meant to capture final election results.
2. You must include both the early votes and election day votes by precinct for all races reported.
3. We have designed three methods by which you can submit this report to our office:
 1. You can upload your results through the link above via the Secretary of State defined Excel spread sheet and attach it to a web browser;
 2. You can attach a file from your vote count machine (confer with your vendor for specific details);
 3. You can “build” your own report by inputting your precinct returns directly into the system.

The instructions for inputting results are online.

4. The precinct by precinct returns are required to be filed not later than 30 days after the election, Thursday, December 7, 2017.

If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov, or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

KI:CA

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Thursday, January 04, 2018 1:19 PM
Subject: MASS E-MAIL ADVISORY (VR/EA/V-664) - Registering a Voter at a Business Address
Attachments: ADV2018-01 Registering a Voter at a Business Address.pdf

Dear Voter Registrars,

Attached to this email is the memo regarding Registering a Voter at a Business Address. For your convenience, the content of this memo is listed below:

BACKGROUND

We continue to receive a number of inquiries regarding voter applications submitted to a county that are complete, but whose residential address is identified by the county as a place of business. To that end, we have compiled a more detailed explanation for how these applications should be processed by the county.

Defining an address as business or residential

It should be noted that there is no provision in Election Code that allows a voter registrar to designate addresses as business addresses and use that information in the processing of a voter registration application. Section 13.002, which is the standard for review when processing an application, requires “the applicant’s residential address or, if the residence has no address, the address at which the applicant receives mail and a concise description of the location of the applicant’s residence” be provided when registering. (13.002(c)(7)) Addresses submitted as concise descriptions are commonly referred to as Parcel Addresses.

Section 1.005 (17) defines a “Residence address” as “the street address and any apartment number, or the address at which mail is received if the residence has no address, and the city, state and zip code that correspond to a person’s residence. Provided that an individual has appropriately submitted an address that meets these qualifications, then there is no authority upon which a voter registrar may determine an address is not classified as residential as part of the processing of an application. Under current Election Code, a person’s residency may only be determined by a court of law.

Thus, a voter registrar must register an individual if the application is complete and the registrar determines the person is otherwise eligible, provided that the voter registrar can determine the location of the address claimed by the applicant and assign the correct voting districts to the voter upon registration. The voter registrar has no authority to ask an individual to supply additional information through the incomplete process or any other process prior to registering the person.

While current law does not permit a registrar to take address information into account at the point of registration, it should be noted, however, that voter registrars may designate an address as a business address to assist them in managing a voter’s registration once a person has been registered. Section 15.051 gives the registrar the authority to ask the voter to confirm his/her residential address if the registrar has reason to believe that a voter’s current residence is different from that indicated on the registration records.

Voter Registrars designating an address as a place of business for this purpose may then register a voter, send the voter registration certificate and then immediately initiate a Notice of Address Confirmation and send that as well. It should be noted that these documents should be mailed independently of each other.

If the voter returns the confirmation notice (confirming the business address as his/her residence address), then the voter registrar has to accept the address provided by the voter and leave the voter registered at that address. Voter Registrars believing this information to be a false statement may refer the information to the County Attorney or District Attorney to investigate it, since claiming that address as a residence address could be fraudulent.

Options for processing a voter registration application:

Current law allows for four possible outcomes when processing any voter application. Depending on the circumstances of the application the processing of an application may result in:

- The individual becoming a registered voter – if all information on the application is complete (not missing any information required for registration), the residence address is located within the county, and the voter registrar has no reason to challenge eligibility or immediately reject the application, then an application should result in the individual becoming a registered voter within the county. (Section 13.072)
- The applicant's registration being challenged – if all information on the application is complete (not missing any information required for registration) and the residence address is located within the county, but the voter registrar has reason to believe that the individual is not in fact eligible for registration, then the registrar may challenge the application. Challenges may be initiated based on eligibility (such as citizenship, age, etc.), but not on residence. Depending on the outcome of the challenge procedure, the individual may or may not become a registered voter. (Section 13.074).
- The applicant's application being rejected and the individual not becoming a registered voter – an application may be immediately rejected if an individual does not meet the current age requirements of 17 years and 10 months, responds that he or she is not a United States Citizen or provides an address that is out of the registrar's county. If the address is in another county, the application should be forwarded to the correct county in order to register the person. (Sections 13.072 & 13.073).
- The application being determined to be incomplete and placed on hold awaiting further information from the applicant – in such circumstances, a Notice of Incomplete is sent to the applicant notifying the applicant that he/she has ten (10) days to respond with a completed application. Legally, a Notice of Incomplete is classified as a Notice of Rejection, but from a workflow standpoint, the application is placed on hold until the ten (10) days granted under Section 13.073(c) has expired. (Section 13.073).

Section 13.072 requires that a voter registrar approve an application if the registrar determines that an application complies with section 13.002 and passes the Live Check process.

If you have any questions, please do not hesitate to call.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **No. 2018-01**

TO: All Voter Registrars
FROM: Keith Ingram, Director of Elections 
DATE: January 4, 2018
RE: Registering a Voter at a Business Address

BACKGROUND

We continue to receive a number of inquiries regarding voter applications submitted to a county that are complete, but whose residential address is identified by the county as a place of business. To that end, we have compiled a more detailed explanation for how these applications should be processed by the county.

Defining an address as business or residential

It should be noted that there is no provision in Election Code that allows a voter registrar to designate addresses as business addresses and use that information in the processing of a voter registration application. Section 13.002, which is the standard for review when processing an application, requires "the applicant's residential address or, if the residence has no address, the address at which the applicant receives mail and a concise description of the location of the applicant's residence" be provided when registering. (13.002(c)(7)) Addresses submitted as concise descriptions are commonly referred to as Parcel Addresses.

Section 1.005 (17) defines a "Residence address" as "the street address and any apartment number, or the address at which mail is received if the residence has no address, and the city, state and zip code that correspond to a person's residence. Provided that an individual has appropriately submitted an address that meets these qualifications, then there is no authority upon which a voter registrar may determine an address is not classified as residential as part of the processing of an application. Under current Election Code, a person's residency may only be determined by a court of law.

Thus, a voter registrar must register an individual if the application is complete and the registrar determines the person is otherwise eligible, provided that the voter registrar can determine the location of the address claimed by the applicant and assign the correct voting districts to the voter upon

registration. The voter registrar has no authority to ask an individual to supply additional information through the incomplete process or any other process prior to registering the person.

While current law does not permit a registrar to take address information into account at the point of registration, it should be noted, however, that voter registrars may designate an address as a business address to assist them in managing a voter's registration once a person has been registered. Section 15.051 gives the registrar the authority to ask the voter to confirm his/her residential address if the registrar has reason to believe that a voter's current residence is different from that indicated on the registration records.

Voter Registrars designating an address as a place of business for this purpose may then register a voter, send the voter registration certificate and then immediately initiate a Notice of Address Confirmation and send that as well. It should be noted that these documents should be mailed independently of each other.

If the voter returns the confirmation notice (confirming the business address as his/her residence address), then the voter registrar has to accept the address provided by the voter and leave the voter registered at that address. Voter Registrars believing this information to be a false statement may refer the information to the County Attorney or District Attorney to investigate it, since claiming that address as a residence address could be fraudulent.

Options for processing a voter registration application:

Current law allows for four possible outcomes when processing any voter application. Depending on the circumstances of the application the processing of an application may result in:

- The individual becoming a registered voter – if all information on the application is complete (not missing any information required for registration), the residence address is located within the county, and the voter registrar has no reason to challenge eligibility or immediately reject the application, then an application should result in the individual becoming a registered voter within the county. (Section 13.072)
- The applicant's registration being challenged – if all information on the application is complete (not missing any information required for registration) and the residence address is located within the county, but the voter registrar has reason to believe that the individual is not in fact eligible for registration, then the registrar may challenge the application. Challenges may be initiated based on eligibility (such as citizenship, age, etc.), but not on residence. Depending on the outcome of the challenge procedure, the individual may or may not become a registered voter. (Section 13.074).
- The applicant's application being rejected and the individual not becoming a registered voter – an application may be immediately rejected if an individual does not meet the current age requirements of 17 years and 10 months, responds that he or she is not a United States Citizen or provides an address that is out of the registrar's county. If the address is in another county, the application should be forwarded to the correct county in order to register the person. (Sections 13.072 & 13.073).
- The application being determined to be incomplete and placed on hold awaiting further information from the applicant – in such circumstances, a Notice of Incomplete is sent to the applicant notifying the applicant that he/she has ten (10) days to respond with a completed

application. Legally, a Notice of Incomplete is classified as a Notice of Rejection, but from a workflow standpoint, the application is placed on hold until the ten (10) days granted under Section 13.073(c) has expired. (Section 13.073).

Section 13.072 requires that a voter registrar approve an application if the registrar determines that an application complies with section 13.002 and passes the Live Check process.

For more information, please contact the Elections Division at 1-800-252-VOTE(8683).

KI:BS:CG

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, January 10, 2018 10:11 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--FPCA deadline advisories

Dear Election Officials,

As a reminder, **all** military and overseas voters that have submitted their request to vote by mail **must** have their ballot **placed in the mail by January 20, 2018** (45 days before the March 6, 2018 primary election). This deadline must be met. We are aware that there have been a number of late changes to the ballots and that making the FPCA deadline will be a challenge. However, **not having ballots prepared or back from the vendor is not an excuse**. If your ballots are not ready, you must prepare emergency ballots and meet the deadline with them. We are eager to assist you with the preparation of emergency ballots. Please let us know if you need any help.

To assist you in meeting this deadline, our office has released the following three advisories related to voting by mail.

These three advisories are currently available live on our website:

[Advisory 2018-02 – Ballot by Mail Deadlines: HB 1151, HB 929 \(Regular Session\); SB 5 \(Special Session\)](#)

[Advisory 2018-03 – Instructions and Deadlines for Mailing/Emailing Ballots Under the Federal "MOVE Act" for Overseas Vote](#)

[Advisory 2018-04 – FWABs and Voters in Hostile Fire Pay and Combat Zones](#)

These advisories and other materials are posted at your [Conducting Your Elections](#) pages.

Please let us know if you have any questions or concerns.

Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, January 17, 2018 12:54 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--FPCA Ballot deadline and emergency ballot procedures advisory
Attachments: ADV2018-05 - Emergency Ballot Procedures (Primary).pdf; TX ReportingPrimElec_Blank 2018.xlsx; Instructions 2018.pdf

Hello Everyone,

I am writing to remind you that military and overseas ballots requested by a FPCA **must be sent out to voters** by your offices **no later than Saturday, January 20**. We understand that there have been several last minute changes to the ballot and that adverse weather this week also impacted your schedules. **However, the deadline must be met**. If your ballots are not prepared in time, **you will have to use emergency ballots**. I am attaching an advisory on emergency ballots for you to review. An excerpt from that advisory is copied below.

In addition, I will be asking you on Monday if you met the deadline. If you failed to get your ballots out, then I will need for you to fill out the attached spreadsheet and send it back to me by the end of the day on Monday.

Please let us know if you are having any issues. We would be glad to assist you in whatever way we can to make sure that all 254 counties mail out their FPCA ballots by Saturday.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

You have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline, you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **NO. 2018-05**

TO: County Clerks/Elections Administrators and County Chairs

FROM: Keith Ingram, Director of Elections 

DATE: January 17, 2018

RE: Emergency Ballot Procedures

Saturday, January 20, 2018 (the 45th day before the March 6, 2018 primary election) is the deadline for all ballots to be mailed to all military and overseas voters. If a federal postcard application (FPCA) is received after the 45th-day deadline, the ballot should be mailed not later than the seventh calendar day after the date the FPCA is received. **If your official ballots are not ready to be sent by January 20, 2018, you must create and send emergency ballots. Please see below for emergency balloting procedures. It is not acceptable to miss the deadline and simply wait until your official ballots are ready to mail ballots outside the United States.**

You have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline, you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

Additionally, emergency ballots may be used in the event a polling place runs out of ballots or experiences technical problems with a voting system. Under state law, once the polling place is open it must remain open. Having run out of ballots is not a ground for closing the polling place or suspending voting for a time until more ballots can be received. Therefore, we suggest that you advise election judges to monitor the number of ballots remaining throughout the day on election day and to contact you immediately if they run low. This memorandum provides the procedures on how to replenish a polling place's ballot supply. Therefore, please distribute copies of this memorandum to each of your election judges.

NOTE: County Chairs are responsible for ensuring there are enough ballots at polling places during the primary, unless the Chair contracted with their County Clerk/Elections Administrator for the distribution of ballots.

Pre-Election Day

Regardless of what type of voting system your county uses, before election day your office may want to assess your early voting ballot supply for possible use on election day. If early voting by mail or personal appearance turnout has been heavy, you may want to consider having additional ballots prepared for possible use on election day in your polling places.

Paper and Optical Scan Ballots

If you find that a precinct is about to run out of ballots, whether paper or optical scan ballots, you have two options. One option is that the election judge contacts you and you rush additional ballots to the precinct. If you do not have additional election day ballots for that precinct, your office can use the early voting ballots for that precinct. If no ballots for that precinct are available, your office can make adjustments to the ballots of the same ballot style, if necessary, in accordance with Section 52.006 of the Texas Election Code.

The second option is for you or the election judge to take one of the unvoted official ballots and make copies. Before copying the official ballot, white out or obscure the ballot number printed on the ballot. The judge must sign the backs of the copied ballots and serially number them, beginning with the next number from your ballot order. Please note that our office would prefer copies of an official ballot be used, but if you or the precinct election judge do not have any official ballots to copy when you first realize there is a shortage, copies of a sample ballot can be used instead. You should make a note on the ballot register form indicating how many emergency ballots you created and the range of numbers you used on the ballots created. If a copier is not available but you have some pieces of paper, you might be able to copy the ballot by hand. Keeping in mind the length of the ballot in the primary election, rather than copy the ballot yourself, it might be more efficient to allow voters to write their choices on a piece of paper using the sample ballot available at the polling place. In this situation, the judge would sign and number a few pieces of paper and place them face down and out of numerical sequence on the table. The judge would explain to voters that the polling place has run out of ballots and allow them to pick one of the disarranged pieces of paper, just as they would choose one of the official ballots.

DRE Voting System

If your county is using a DRE voting system and the machine malfunctions, the election judge should follow the procedures set out by your county clerk/elections administrator. You may want to provide the election judge with paper ballots at the polling place to use in emergencies or for provisional voters. If so, the election judge would simply continue using these ballots and make additional copies as needed. If the election judge is not provided with paper ballots, he or she will have to follow the procedure set out above under the paper and optical scan ballots section for signing and numbering pieces of paper and allowing voters to utilize the sample ballot to write in their choices.

We would like to take this opportunity to remind you that if people are waiting in line to vote at 7:00 p.m., they must be allowed an opportunity to present themselves for voting. If you have any questions, please contact our office toll-free at 1-800-252-2216.

KI:CA

Instructions for Completing the Summary Report Spreadsheets

Ballot Transmission Totals

The spreadsheet titled “Summary Report of UOCAVA Ballot Transmission,” is intended to capture, by transmitting jurisdiction, total numbers of (1) valid ballot requests received by the 45-day deadline, 2) ballots sent by that date, and 3) ballots not sent by that date. This spreadsheet contains five columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 100 to number the rows of data. States with more than 100 transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of transmitting jurisdictions in your State.
- **Column B. Transmitting jurisdiction.** In alphabetical order, list all jurisdictions in your State that are responsible for transmitting UOCAVA ballots. Include any jurisdictions that did not receive any ballot requests by the 45-day deadline.
- **Column C. Total Valid Ballot Requests Received by the 45-day deadline.** Provide the total number of valid UOCAVA ballot requests that the transmitting jurisdiction received by the 45-day deadline. If a jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column C.
- **Column D. Total Ballots Sent by the 45-day deadline For Valid Requests Received By That Date.** Provide the total number of ballots sent by the transmitting jurisdiction by the 45-day deadline. If a transmitting jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column D.
- **Column E. Total Ballots Not Sent by the 45-day deadline For Valid Requests Received By That Date.** If a jurisdiction received valid ballot requests by the 45-day deadline, but failed to transmit one or more of these ballots by that date, enter the total number of ballots not sent by the deadline. If you entered any numbers in column E, provide the additional data requested in the “Late Ballot Transmission Data” spreadsheet.

Late Ballot Transmission Data

Complete the spreadsheet titled “Summary Report of Late UOCAVA Ballot Transmission,” only if one or more transmitting jurisdictions failed to send by the 45-day deadline one or more ballots validly requested by the 45-day deadline. This spreadsheet requests more detailed data about the late ballot transmission in eight columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 4 to number the rows of data. States with more than four late transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of late transmitting jurisdictions in your State.
- **Column B. Late Transmitting Jurisdiction/Date of Late Transmission.** Identify the jurisdiction in the first numbered row and use succeeding rows to specify all dates after the 45-day deadline that ballots were transmitted. If the jurisdiction sent ballots on multiple dates after the 45-day

Instructions for Completing the Summary Report Spreadsheets

deadline, provide the information in the succeeding columns by corresponding late transmission date, with each date in a separate row.

- **Column C. Domestic military.** Provide the data requested for military voters (and their spouses and dependents) within the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column D. Overseas Military.** Provide the data requested for military voters (and their spouses and dependents) outside the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column E. Overseas Civilian.** Provide the data requested for overseas civilians. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column F.** Describe the reason(s) why the late transmitting jurisdiction sent validly requested UOCAVA ballots after the 45-day deadline.
- **Column G.** Confirm that the method used to transmit the late ballots was by the voter's preferred method.
- **Column H.** Indicate whether the state or the late transmitting jurisdiction has phone, fax or email contact information for the affected UOCAVA voters.
- **Column I. Other comments.** Provide any other information describing the late transmission or actions taken by the State or transmitting jurisdiction to address the late ballot transmission.

NOTE: If you are missing some of the data requested in the "Summary Report of Late UOCAVA Ballot Transmission Data" spreadsheet by the Monday after the 45-day deadline, we ask that you provide the information you have on that Monday and then submit a revised summary report(s) with the data requested in this spreadsheet as soon as possible, and as information becomes available.

State of Texas

Summary Report of UOCAVA Ballot Transmission

Date of Report: [Insert here]

2018 Federal Primary Election

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
40				
41				
42				
43				
44				
45				
46				
47				
48				
49				
50				
51				
52				
53				
54				
55				
56				
57				
58				
59				
60				
61				
62				
63				
64				
65				
66				
67				
68				
69				
70				
71				
72				
73				
74				
75				
76				
77				
78				
79				
80				
81				
82				
83				
84				
85				
86				
87				
88				
89				
90				
91				

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
92				
93				
94				
95				
96				
97				
98				
99				
100				

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, January 19, 2018 4:13 PM
Subject: MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request
Attachments: ENR Contact Request for Election Night March 6 2018_DRAFT.pdf

Importance: High

County Clerks and Elections Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the March 6, 2018 Republican and Democratic Primary Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, January 26 at 5 p.m. To update your county information, please follow the instructions provided in the attached document.

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

Should you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, January 22, 2018 8:32 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--FPCA deadline reporting.
Attachments: TX ReportingPrimElec_Blank 2018.xlsx; Instructions 2018.pdf

Hello Everyone,

I am writing to determine whether any counties failed to meet the deadline for mailing FPCA ballots on Saturday.

If you did not send your FPCA ballots by Saturday please fill out the information in the attached spreadsheet. The most important piece of information necessary is your plan and timing for getting the ballots out the door. I need to hear from you by the end of the day today.

Let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: January 19, 2018

RE: Please Provide County Contact Information for the March 6, 2018 Republican and Democratic Primary Election

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the March 6, 2018 Republican and Democratic Primary Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, January 26, at 5 p.m.

To update your county information:

- **Log into the Elections Management and Certification System (EMCS)** using your County Name and EMCS Password.

<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>.

A screenshot of the login page for the Texas Secretary of State's Election Management and Certification System. The page has a dark header with the Texas Secretary of State logo and the text "Election Management and Certification System". Below the header, there are two input fields labeled "Login Name" and "Password". A "Login" button is located at the bottom right of the form.

To reset your password, call us at 1.800.252.2216 to receive a temporary password. You will have 20 minutes to create a new password using the following requirements:

Password cannot be same as current password.
Password must be at least 10 characters.
Passwords less than 15 characters should not contain a space and require an upper case, a lowercase, a number, and a special character such as the following: !@#\$%^&* _+=?/~`';,;<>|
Passwords longer than 15 characters do not have password requirements and can be sentences; i.e. "This is an example password".

- Click on the “Counties” button for the 2018 Republican or Democratic Party Primary Election.
Note: You must update your contact information under each election.

Election Name	Election Date	Locked	Election Type	Actions				
2018 Democratic Party Primary Election(322)	2018-03-06	N	PRIMARY	Edit	Events	Races	Counties	Candidates
2018 Republican Party Primary Election(321)	2018-03-06	N	PRIMARY	Edit	Events	Races	Counties	Candidates

- Click the “Edit” button under the Actions column

County	Voter Registration	Suspense Voters	Precincts	Max. Salary	Region	ENR First Report Time	ENR Last Report Time	Top Six Rank	Contact Complete	Actions
ANDERSON					North Central Texas				N	Edit

- Update the total number of precincts, and include 1 precinct for early voting.
(Report the number of precincts reporting, not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts	<input type="text"/>
-----------	----------------------

If you are a county using the **Countywide Polling Place Program (CWPP)**, enter the number of Election Day polling locations within your county, including one (1) for early voting. (You will still need to track election precincts for the precinct by precinct report, which we will ask for after election night.)

- Place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System	Paper Ballot <input type="checkbox"/>	Optical Scan <input type="checkbox"/>	Automark <input type="checkbox"/>	DRE <input type="checkbox"/>
---------------	---------------------------------------	---------------------------------------	-----------------------------------	------------------------------

- Enter the telephone number for your Central Counting Station.

Telephone number of Central Counting Station	<input type="text"/>
--	----------------------

- Enter or update the County Election Official, ENR Contact, and/or the ENR Alt Contact’s information. For phone numbers, enter the data without commas, dashes, or spaces.

Name: <input type="text"/>	Contact Phone: <input type="text"/>	Cell Phone: <input type="text"/>	Home Phone: <input type="text"/>	Delete
----------------------------	-------------------------------------	----------------------------------	----------------------------------	--------

- Click “Update” at the bottom of the page to save your changes.
- Logout

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

If you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

State of Texas

Summary Report of UOCAVA Ballot Transmission

Date of Report: [Insert here]

2018 Federal Primary Election

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
40				
41				
42				
43				
44				
45				
46				
47				
48				
49				
50				
51				
52				
53				
54				
55				
56				
57				
58				
59				
60				
61				
62				
63				
64				
65				
66				
67				
68				
69				
70				
71				
72				
73				
74				
75				
76				
77				
78				
79				
80				
81				
82				
83				
84				
85				
86				
87				
88				
89				
90				
91				

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
92				
93				
94				
95				
96				
97				
98				
99				
100				

Instructions for Completing the Summary Report Spreadsheets

Ballot Transmission Totals

The spreadsheet titled “Summary Report of UOCAVA Ballot Transmission,” is intended to capture, by transmitting jurisdiction, total numbers of (1) valid ballot requests received by the 45-day deadline, 2) ballots sent by that date, and 3) ballots not sent by that date. This spreadsheet contains five columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 100 to number the rows of data. States with more than 100 transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of transmitting jurisdictions in your State.
- **Column B. Transmitting jurisdiction.** In alphabetical order, list all jurisdictions in your State that are responsible for transmitting UOCAVA ballots. Include any jurisdictions that did not receive any ballot requests by the 45-day deadline.
- **Column C. Total Valid Ballot Requests Received by the 45-day deadline.** Provide the total number of valid UOCAVA ballot requests that the transmitting jurisdiction received by the 45-day deadline. If a jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column C.
- **Column D. Total Ballots Sent by the 45-day deadline For Valid Requests Received By That Date.** Provide the total number of ballots sent by the transmitting jurisdiction by the 45-day deadline. If a transmitting jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column D.
- **Column E. Total Ballots Not Sent by the 45-day deadline For Valid Requests Received By That Date.** If a jurisdiction received valid ballot requests by the 45-day deadline, but failed to transmit one or more of these ballots by that date, enter the total number of ballots not sent by the deadline. If you entered any numbers in column E, provide the additional data requested in the “Late Ballot Transmission Data” spreadsheet.

Late Ballot Transmission Data

Complete the spreadsheet titled “Summary Report of Late UOCAVA Ballot Transmission,” only if one or more transmitting jurisdictions failed to send by the 45-day deadline one or more ballots validly requested by the 45-day deadline. This spreadsheet requests more detailed data about the late ballot transmission in eight columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 4 to number the rows of data. States with more than four late transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of late transmitting jurisdictions in your State.
- **Column B. Late Transmitting Jurisdiction/Date of Late Transmission.** Identify the jurisdiction in the first numbered row and use succeeding rows to specify all dates after the 45-day deadline that ballots were transmitted. If the jurisdiction sent ballots on multiple dates after the 45-day

Instructions for Completing the Summary Report Spreadsheets

deadline, provide the information in the succeeding columns by corresponding late transmission date, with each date in a separate row.

- **Column C. Domestic military.** Provide the data requested for military voters (and their spouses and dependents) within the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column D. Overseas Military.** Provide the data requested for military voters (and their spouses and dependents) outside the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column E. Overseas Civilian.** Provide the data requested for overseas civilians. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column F.** Describe the reason(s) why the late transmitting jurisdiction sent validly requested UOCAVA ballots after the 45-day deadline.
- **Column G.** Confirm that the method used to transmit the late ballots was by the voter's preferred method.
- **Column. H.** Indicate whether the state or the late transmitting jurisdiction has phone, fax or email contact information for the affected UOCAVA voters.
- **Column I. Other comments.** Provide any other information describing the late transmission or actions taken by the State or transmitting jurisdiction to address the late ballot transmission.

NOTE: If you are missing some of the data requested in the "Summary Report of Late UOCAVA Ballot Transmission Data" spreadsheet by the Monday after the 45-day deadline, we ask that you provide the information you have on that Monday and then submit a revised summary report(s) with the data requested in this spreadsheet as soon as possible, and as information becomes available.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, January 22, 2018 10:06 AM
To: Elections Internet
Subject: RE: MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request

Good morning,

We are aware that you are not able to access the 2018 Democratic Primary Election in EMCS to update our contact information. We are working on the problem and hope to have it resolved soon. Feel free to try back this afternoon or tomorrow.

Thank you for your patience.

From: Elections Internet
Sent: Friday, January 19, 2018 4:13 PM
Subject: MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request
Importance: High

County Clerks and Elections Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the March 6, 2018 Republican and Democratic Primary Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, January 26 at 5 p.m. To update your county information, please follow the instructions provided in the attached document.

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

Should you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, January 22, 2018 2:17 PM
To: Elections Internet
Subject: MASS EMAIL--VR/EA--Source Code 18 for High School Registrations

Dear Voter Registrars/Election Administrators –

You may be aware that our office has been working with High School Principals to help ensure they are providing eligible high school students with the opportunity to register to vote under Section 13.046(a) of the Texas Election Code. As part of this process, we will be reinstating the use of High School specific Voter Registration Applications to assist with the tracking of these registrations.

To that end, we are now have Voter Registration Applications printed with a Source Code 18 in order to provide them to High School Principals for use in the schools. Please keep in mind that High Schools were previously provided with Source Code 42 applications and may have stock with that source code still in use. We request that any Voter Registration Applications being submitted to your office by a High School Principal or VDR indicating they are delivering them on behalf of a High School Principal be coded with a Source Code “18 – High Schools” for tracking purposes (regardless of the source code on the application itself). Let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a “Customer Satisfaction Survey”. Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, January 25, 2018 9:17 AM
Subject: Mass Email--CC/EA-- Advisory 2018-06 - Joint Primary Signs
Attachments: ADV2018-06 - Joint Primary Election Signage.pdf; 13-9 Sign for Joint Primary Election.pdf

Dear Election Officials,

Our office has issued **Advisory 2018-06 Joint Primary Signage** to provide guidance on changes that were made to Section 172.126 of the Texas Election Code related to authorized signs in Joint Primary Elections. We have also issued a sample Joint Primary Election Sign for use in the polling place at the check-in table. You are not required to use our sample form. If you create your own form, it must be approved by the Texas Secretary of State. Please email your approval requests to elections@sos.texas.gov.

Both the advisory and the sample sign are attached to this email as a PDF. Both will be posted to our website this week.

When posted, this advisory will be available on your [Conducting Your Elections](#) page. The sample form will be located in both the [County Chairs Forms Manual](#) and the [Main Election Forms Manual](#).

Please let us know if you have any questions or concerns.

Christina Worrell Adkins
Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections
For Voter Related Information, please visit:



To better serve you, the Texas Secretary of State is conducting a "[Customer Satisfaction Survey](#)". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **No. 2018-06**

TO: County Clerks/Elections Administrators/County Chairs

FROM: Keith Ingram, Director of Elections 

DATE: January 25, 2018

RE: Joint Primary Election Signage

House Bill 1735 (85th Legislature, RS, 2017), amended Section 172.126 of the Texas Election Code by adding Subsection (g-1). The added subsection provides that, to the extent possible, in a joint primary election or joint primary runoff election, a voter must be allowed privacy when indicating the voter's choice as to which political party's primary or primary runoff the voter chooses to vote in. The subsection also provides that a voter may indicate, without verbalizing, the voter's choice by pointing to which party's ballot the voter chooses and gives the Secretary of State the authority to prescribe a sign to inform voters of this option. The sign must be posted in each polling place beside the signature roster.

In accordance with Section 172.126(g-1), our office prescribes the following parameters for signage notifying voters of the option of nonverbally selecting a primary ballot:

- Signage must be on ONE sheet of paper of standard size (8.5 in. X 11 in.).
- Signage must be in standard font that is of sufficient size to be legible to a voter completing the signature roster.
- Signage must inform voters that they have the option of selecting a ballot by indicating, without verbalizing, their choice of ballot by pointing.
- Signage may also include party designations that voters may point to in order to indicate their choice of ballot.
- If signage includes party designations, the party designation areas must be completely equal to one another with respect to size on the page and font size.
- Signage must meet all applicable bilingual or multi-lingual requirements.

The party may create their own form; however, the Secretary of State has prescribed a sample form. It is located in the County Chairs forms manual and the Main Election Forms Manual and is listed as "Sign for Joint Primary Election."

House Bill 1735 also amended Section 172.127 of the Texas Election Code to provide that the presiding judge or alternate presiding judge for a precinct polling place in a primary or primary runoff election may post signs at the polling place identifying the names of, or symbols representing, any political party holding an election at the polling place. The posted signs may not refer to a candidate or a measure on the ballot. The amended section also gives the Secretary of State authority to prescribe rules in order to provide that signs posted in the same county by different political parties are of similar size and format.

In accordance with Section 172.127, our office prescribes the following parameters for signage identifying political parties holding a primary or primary runoff election at a polling place:

- Signage must be on ONE sign no larger than medium poster size (18 in. X 24 in.)
- Signage may designate the party holding the primary or primary election by naming the party, using a symbol to represent the party, or both
- If more than one political party is holding a primary election or primary runoff election in the same county, the signs must be completely equal to one another with respect to size, font and font size used on the signs

If you have any questions or situations that are not covered by this memo, please do not hesitate to contact the Elections Division toll-free at 1-800-252-2216.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, January 25, 2018 10:19 AM
Subject: Mass Email--CC/EA--Advisory 2018-07 Updated Primary Election Procedures
Attachments: ADV2018-07 - Updated Primary Election Procedures (FINAL).pdf; Democratic Party - Notice of Convention (specific).pdf; Democratic Party - Notice of Convention Generic.pdf; Republican Party - Editable_Notice of Convention.pdf; Republican Party - Notice of Convention.pdf

Dear Election Officials,

Our office has issued **Advisory 2018-07 Updated Primary Election Procedures** to provide guidance on various legislative and administrative changes that affect the Primary Election. The advisory is attached to this email and will be posted to our website later this week.

As a result of HB 1735, Section 172.1114 was amended to allow for the distribution of the Notice of Convention at each polling place. The state chair of each political party shall prescribe a form for the notice which must be approved by the Secretary of State. Both the Democratic Party and the Republican Party have prescribed forms and received approval on their forms. These forms are attached to this email. They will be posted in the County Chairs Forms Manual later this week.

Early voting clerks should coordinate with their local county chair on the use of the attached forms. If the local party chair wishes to prescribe their own form, it must be approved by the Texas Secretary of State. Please email your approval requests to elections@sos.texas.gov.

Please let us know if you have any questions or concerns.

Christina Worrell Adkins

Legal Director -- Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov/elections



To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Voters: You choose which primary election you vote in. You may verbally tell the election judge which ballot you would like or you may indicate your choice by pointing to the party name below.

Votantes: Debe elegir la elección primaria en la que desea votar. Usted puede decirle verbalmente al juez de elección qué boleta le gustara, o puede indicar su preferencia señalando el nombre del partido a continuación.

<p>Democratic Party</p> <p>Partido Democrático</p>	<p>Republican Party</p> <p>Partido Republicano</p>
--	--

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **No. 2018-07**

TO: County Clerks/Elections Administrators/County Chairs

FROM: Keith Ingram, Director of Elections

DATE: January 25, 2018

RE: Updated Primary Election Procedures

House Bill 1735, (85th Legislature, RS, 2017), effective September 1, 2017, made numerous changes to how primary elections are conducted. While all changes made by House Bill 1735 were mentioned in our 2017 Legislative Summary and will not be discussed here, this advisory will provide additional guidance about the most impactful changes introduced by this bill.

Primary Financing Changes

House Bill 1735 made several changes to the way that expenses are reported to the Secretary of State. First, Section 173.0832 of the Texas Election Code was amended to require all counties contracting with a political party to provide services related to the primary election to directly report primary expenses to the Secretary of State. Each county election officer will need to complete a primary estimate using the Secretary of State's online tool. After the conclusion of the primary and primary runoff, the county election officer will need to report their expenses to the Secretary of State. Our office has also prepared a short video tutorial for this process.

Additionally, Section 173.0833 of the Code was amended to require voting system vendors to report expenses directly to the Secretary of State. Our office has prescribed the format for vendor expenses to be reported to the Secretary of State. The vendors will report any expenses for services, such as printing, programming or technical support, to the Secretary of State and these expenses should not be included as a part of the primary estimate from either the party or the county election officer. Parties and counties should work together to ensure that the Secretary of State is only being invoiced once for costs incurred in association with conducting the primary election.

Candidate Data and Canvassing Changes

House Bill 1735 incorporated data entry for candidate filings and canvassing into the existing system used for reporting election night results to the Secretary of State. Now, the entire process of the primary for an individual candidate, from filing their application for place on the primary ballot to the certification of the canvass, will be available on the Secretary of State's website. At the time of filing, the candidate's information from their primary application will be entered on to the website by the appropriate chair. The appropriate chair will then update the respective status of each candidate, and after the filing deadline, the chair will set the ballot order for all candidates that will appear on that

county party's ballot. After the ballot order for the candidates has been completed, the county or vendor, as appropriate, will use the information from the Secretary of State's website to build their ballot. Additionally, the appropriate chair will notify the Secretary of State's office of any changes to a candidate's status, such as ineligibility or rejection of their application due to form, content and procedure.

House Bill 1735 amended Section 172.113 of the Code to require that the unofficial tabulation of results be completed by the county election officer, rather than the party chair. The county will input the unofficial results into the Election Night Returns system for district and statewide races in the same way that the county have done so in the past. However, counties will also now input totals for county-level races into the system prior to the county party's canvass. The county will have until the 9th day after Election Day to input the unofficial results, including provisional or overseas ballots. Section 172.116(d) of the Code was amended to require the county party to conduct the canvass using the unofficial results input into the Secretary of State's online system. The county chair will review the unofficial results, make any necessary changes, and certify online. The canvassed county results will then be used by the state chairs to conduct the statewide canvass. Additionally, Section 172.123 of the Code was amended to allow the certification of the canvass on the Secretary of State's website to serve as placing the election results in the county election register.

Primary Sign and Notice Changes

House Bill 1735 also made several changes to notices and signs given and posted in the polling place. Section 172.1112 of the Code was amended to require the Notice of General Primary Election to be posted by the county, although it is still completed by the chair. The content and the posting requirements of the notice have not changed, and as thus, no changes to the Notice of General Primary Election were required. The county and the chairs should coordinate to timely issue and post the notice at the appropriate locations.

Additionally, House Bill 1735 allowed for the posting of two new signs: one to allow voters in a joint primary to indicate their party preference nonverbally and one identifying by name or symbol any political party holding a primary election at a polling place. Our office has prepared a specific advisory on that issue, 2018-06. Please see **Advisory 2018-06** for more details.

House Bill 1735 also allowed for the Notice of Convention to be distributed in the polling place. Further, the Certificate of Affiliation can now be combined with the Notice of Convention. Section 172.1114 of the Code was amended to require the state chair to prescribe a general form, approved by the Secretary of State, which can be used in each county. A copy of each party's approved Notice of Convention has been attached to this email. A county party is able to modify only the date, time, location, and contact information on the notice without prior approval from the Secretary of State. Any other modifications require review and approval by our office prior to distribution. If a county party wishes to generate a notice specific to their county, they are required to submit that notice to the Secretary of State for approval.

If you have any questions or concerns that are not covered by this Advisory, please do not hesitate to contact the Elections Division toll-free at 1-800-252-2216 or elections@sos.texas.gov.

KI:CA:TJ



Notice of Conventions

Party conventions are held every two years. There are 3 levels of conventions this year; precinct, county/senate district, and state. Attendees at each level pass resolutions and elect delegates to the next level convention. These resolutions and delegates help shape the party platform and its direction regarding public policy. To be a delegate, you must affiliate with the Republican Party (by voting in the Republican Primary or by taking an oath of affiliation). Once affiliated you cannot vote or participate in another party's primary or convention process for the remainder of the voting year.

To participate in your precinct convention, bring the Certificate of Affiliation to your precinct convention:

_____, 2018; _____ at _____
(date) (time) (name of location)

(address of location)

For more information about local conventions, contact:

_____ County Republican Party at _____ or _____
(county name) (phone) (email)

For more information about the conventions visit: <https://www.texasgop.org/2018-convention/>

To contact the state party, call 512-477-9821 or email info@texasgop.org

CERTIFICATE OF PARTY AFFILIATION

_____ has affiliated with the Republican Party on _____.
(Name of affiliate) (Date)
(Complete if applicable)

The party function at which the affiliation occurred was:

Signature of Member of County Executive Committee

Printed Name of Person Signing

Official Position of Person Signing



Anuncio sobre convenciones

Las convenciones de partido se llevan a cabo cada dos años. Hay 3 niveles de convenciones este año: la del precinto electoral, la del condado o distrito senatorial, y la del estado. Los asistentes a cada nivel adoptan resoluciones y eligen delegados a la convención del próximo nivel. Estas resoluciones y estos delegados ayudan a determinar la plataforma del partido y su dirección con respecto a la política pública. Para ser delegado, hay que afiliarse al Partido Republicano (por votar en el Primario Republicano o por tomar un juramento de afiliación). Una vez que una persona se haya afiliado, no puede votar ni participar en el primario o el proceso de convención de ningún otro partido por el resto del año electoral.

Para participar en su convención de precinto, lleve el Certificado de Afiliación a su convención de precinto:

_____, 2018; _____ a _____
(fecha) (hora) (nombre del lugar)

(dirección del lugar)

Para más información sobre convenciones locales, favor de contactar:

Partido Republicano del condado _____ a _____ o _____
(nombre del condado) (teléfono) (correo electrónico)

Para más información sobre las convenciones, favor de visitar: <https://www.texasgop.org/2018-convention/>

Para contactar el partido estatal, favor de llamar a 512-477-9821 o mandar un correo electrónico a: info@texasgop.org

CERTIFICADO DE AFILIACION DE PARTIDO POLITICO

_____ se afilió con el Partido Republicano el día ____ de ____ de, 20 ____.
(nombre de la persona afiliada)

(Complete si aplicable)

La función del partido político durante la cual sucedió la afiliación es:

Firma del Miembro del Comité Ejecutivo del Condado

Nombre del Firmante En Letra de Molde

Posicion Oficial del Firmante

NOTICE OF YOUR COUNTY AND SENATE DISTRICT DEMOCRATIC PARTY CONVENTION
aviso de la convención del partido democrático del distrito de su condado y senado

_____ (name of voter) has affiliated with the Democratic Party on
March 6, 2018. *(nombre del votante) se afilió con el Partido Demócrata el 6 de marzo de 2018*

Convention will begin at XX on
March 24, 2018
La convención empezara a las _____ el día 24 de Marzo de 2018

Location:
Ubicación
XXX

Address:
XX County Democratic Party
Partido Demócrata del Condo de XXX

County Party Address
Condado direccion
County Party Email
Correo electronico
County Party Phone Number
Numero

Texas Democratic Party
Partido Democrático de Texas

1106 Lavaca, Ste. 100
Austin, TX 78701
yellowdog@txdemocrats.org
512-478-9800

NOTICE OF YOUR COUNTY AND SENATE DISCTRICT DEMOCRATIC PARTY CONVENTION
aviso de la convención del partido democrático del distrito de su condado y senado

_____ (name of voter) has affiliated with the Democratic Party on
March 6, 2018. *(nombre del votante) se afilió con el Partido Demócrata el 6 de marzo de 2018*

Convention will begin at XX on
March 24, 2018
La convención empezara a las _____ el día 24 de Marzo de 2018

Location:
Ubicación
XXX

Address:
XX County Democratic Party
Partido Demócrata del Condo de XXX

County Party Address
Condado direccion
County Party Email
Correo electronico
County Party Phone Number
Numero

Texas Democratic Party
Partido Democrático de Texas

1106 Lavaca, Ste. 100
Austin, TX 78701
yellowdog@txdemocrats.org
512-478-9800

NOTICE OF YOUR COUNTY AND SENATE DISTRICT DEMOCRATIC PARTY CONVENTION
aviso de la convención del partido democrático del distrito de su condado y senado

_____ (name of affiliate) has affiliated with the Democratic Party on
March 6, 2018. *(nombre de afiliado) se afilió con el Partido Demócrata el 6 de marzo de 2018*

11 AM ON SATURDAY, MARCH 24,
2018

11:00 a.m. SÁBADO, 24 DE MARZO DE 2018

**FIND YOUR LOCATION AND
THE CONVENTION
INFORMATION HERE**
*ENCUENTRE LA UBICACIÓN Y LA
INFORMACIÓN DE LA CONVENCION AQUÍ*

You can pre-register for the convention and
find the time of day of the convention and
the location at this website:

*Puede preinscribirse para la convención y encontrar la hora
del día de la convención y la ubicación en este sitio web*

<http://texasdemocraticconvention.com/>

Texas Democratic Party
Partido Democrático de Texas

1106 Lavaca, Ste. 100
Austin, TX 78701
yellowdog@txdemocrats.org
512-478-9800

NOTICE OF YOUR COUNTY AND SENATE DISCTRICT DEMOCRATIC PARTY CONVENTION
aviso de la convención del partido democrático del distrito de su condado y senado

_____ (name of affiliate) has affiliated with the Democratic Party on
March 6, 2018. *(nombre de afiliado) se afilió con el Partido Demócrata el 6 de marzo de 2018*

11 AM ON SATURDAY, MARCH
24, 2018

11:00 a.m. SÁBADO, 24 DE MARZO DE 2018

**FIND YOUR LOCATION AND
THE CONVENTION
INFORMATION HERE**
*ENCUENTRE LA UBICACIÓN Y LA
INFORMACIÓN DE LA CONVENCION AQUÍ*

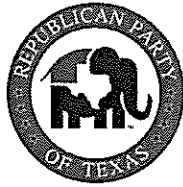
You can pre-register for the convention and
find the time of day of the convention and
the location at this website:

*Puede preinscribirse para la convención y encontrar la hora
del día de la convención y la ubicación en este sitio web*

<http://texasdemocraticconvention.com/>

Texas Democratic Party
Partido Democrático de Texas

1106 Lavaca, Ste. 100
Austin, TX 78701
yellowdog@txdemocrats.org
512-478-9800



Notice of Conventions

Party conventions are held every two years. There are 3 levels of conventions this year; precinct, county/senate district, and state. Attendees at each level pass resolutions and elect delegates to the next level convention. These resolutions and delegates help shape the party platform and its direction regarding public policy. To be a delegate, you must affiliate with the Republican Party (by voting in the Republican Primary or by taking an oath of affiliation). Once affiliated you cannot vote or participate in another party's primary or convention process for the remainder of the voting year.

To participate in your precinct convention, bring the Certificate of Affiliation to your precinct convention:

_____, 2018; _____ at _____
(date) (time) (name of location)

(address of location)

For more information about local conventions, contact:

_____ County Republican Party at _____ or _____
(county name) (phone) (email)

For more information about the conventions visit: <https://www.texasgop.org/2018-convention/>

To contact the state party, call 512-477-9821 or email info@texasgop.org

CERTIFICATE OF PARTY AFFILIATION

_____ has affiliated with the Republican Party on _____.
(Name of affiliate) (Date)
(Complete if applicable)

The party function at which the affiliation occurred was:

Signature of Member of County Executive Committee

Printed Name of Person Signing

Official Position of Person Signing



Anuncio sobre convenciones

Las convenciones de partido se llevan a cabo cada dos años. Hay 3 niveles de convenciones este año: la del precinto electoral, la del condado o distrito senatorial, y la del estado. Los asistentes a cada nivel adoptan resoluciones y eligen delegados a la convención del próximo nivel. Estas resoluciones y estos delegados ayudan a determinar la plataforma del partido y su dirección con respecto a la política pública. Para ser delegado, hay que afiliarse al Partido Republicano (por votar en el Primario Republicano o por tomar un juramento de afiliación). Una vez que una persona se haya afiliado, no puede votar ni participar en el primario o el proceso de convención de ningún otro partido por el resto del año electoral.

Para participar en su convención de precinto, lleve el Certificado de Afiliación a su convención de precinto:

_____, 2018; _____ a _____
(fecha) (hora) (nombre del lugar)

(dirección del lugar)

Para más información sobre convenciones locales, favor de contactar:

Partido Republicano del condado _____ a _____ o _____
(nombre del condado) (teléfono) (correo electrónico)

Para más información sobre las convenciones, favor de visitar: <https://www.texasgop.org/2018-convention/>

Para contactar el partido estatal, favor de llamar a 512-477-9821 o mandar un correo electrónico a: info@texasgop.org

CERTIFICADO DE AFILIACION DE PARTIDO POLITICO

_____ se afilió con el Partido Republicano el día ____ de ____ de, 20 ____.
(nombre de la persona afiliada)

(Complete si aplicable)

La función del partido político durante la cual sucedió la afiliación es:

Firma del Miembro del Comité Ejecutivo del Condado

Nombre del Firmante En Letra de Molde

Posicion Oficial del Firmante

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, January 29, 2018 11:18 AM
To: Elections Internet
Subject: - REMINDER - MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request
Attachments: ENR Contact Request for Election Night March 6 2018.pdf

Good Morning –

Just a friendly reminder that your **County Contact information is due today by 5 pm**. EMCS is up and running. So, please login as soon as possible.

- Login to EMCS - <https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>
- Reset Password/Questions – call 1.800.252.2216, option 4; or send an email to Elections@sos.texas.gov

For your convenience, the instructions are attached. Again, **DO NOT USE THE DROPDOWN MENU** at the top of the County Contact Data Entry page.

Thank you,

Andria Perales

Office of the Texas Secretary of State
Elections Administration - Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet
Sent: Friday, January 26, 2018 10:44 AM
To: Elections Internet <Elections@sos.texas.gov>
Subject: RE: MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request

Good Morning,

Due to this week's technical difficulties, we are extending the **County Contact Deadline** thru **Monday, Jan 29 at 5 pm**.

When updating your information, it is imperative that you **DO NOT USE THE DROPDOWN MENU AT THE TOP OF THE COUNTY CONTACT DATA ENTRY PAGE**. You **MUST** manually enter your contact information and click the "update" button to submit your changes.

Please call us at **1.800.252.2216, option 4**, if you have any questions or need assistance.

Thank you,

Andria Perales

Office of the Texas Secretary of State
Elections Administration - Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Andria Perales

Sent: Monday, January 22, 2018 3:30 PM

To: Elections Internet <Elections@sos.texas.gov>

Subject: RE: MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request

Good Afternoon,

We are still experiencing some technical difficulties regarding the Democratic Primary Elections. It was working for a few hours, but is now giving us an error message. We certainly hope to have it resolved as soon as possible.

In regarding to entering your **contact information**, please **do not use the dropdown menu at the top of the page**. Using the dropdown will not allow you to review or update your information. Please manually enter the information.

Should you have any questions or need further assistance, please call **1.800.252.2216, option 4**.

Again, thank you for your patience.

Andria Perales

Office of the Texas Secretary of State
Elections Administration - Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Andria Perales

Sent: Monday, January 22, 2018 10:04 AM

To: Elections Internet <Elections@sos.texas.gov>

Subject: RE: MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request

Good morning,

We are aware that you are not able to access the 2018 Democratic Primary Election in EMCS to update our contact information. We are working on the problem and hope to have it resolved soon. Feel free to try back this afternoon or tomorrow.

Thank you for your patience.

Andria Perales

Office of the Texas Secretary of State
Elections Administration - Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

From: Elections Internet

Sent: Friday, January 19, 2018 4:12 PM

To: Elections Internet <Elections@sos.texas.gov>

Subject: MASS EMAIL ADVISORY (CC/EA-660) - County Contact Information Request

Importance: High

County Clerks and Elections Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the March 6, 2018 Republican and Democratic Primary Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel

authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, January 26 at 5 p.m. To update your county information, please follow the instructions provided in the attached document.

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

Should you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: January 19, 2018

RE: Please Provide County Contact Information for the March 6, 2018 Republican and Democratic Primary Election

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the March 6, 2018 Republican and Democratic Primary Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, January 26, at 5 p.m.

To update your county information:

- **Log into the Elections Management and Certification System (EMCS)** using your County Name and EMCS Password.

<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>,

A screenshot of the EMCS login page. The header shows the Texas Secretary of State logo and the title "Election Management and Certification System". Below the title are fields for "Login Name:" and "Password:", followed by a "Login" button.

To reset your password, call us at 1.800.252.2216 to receive a temporary password. You will have 20 minutes to create a new password using the following requirements:

Password cannot be same as current password.

Password must be at least 10 characters.

Passwords less than 15 characters should not contain a space and require an upper case, a lowercase, a number, and a special character such as the following: !@#%&* _ +=?/~`.,;<|

Passwords longer than 15 characters do not have password requirements and can be sentences; i.e. "This is an example password".

- Click on the “Counties” button for the 2018 Republican or Democratic Party Primary Election.
Note: You must update your contact information under each election.

Election Name	Election Date	Locked	Election Type	Actions				
2018 Democratic Party Primary Election(322)	2018-03-06	N	PRIMARY	Edit	Events	Races	Counties	Candidates
2018 Republican Party Primary Election(321)	2018-03-06	N	PRIMARY	Edit	Events	Races	Counties	Candidates

- Click the “Edit” button under the Actions column

County	Voter Registration	Suspense Voters	Precincts	Max Salary	Region	ENR First Report Time	ENR Last Report Time	Top Six Rank	Contact Complete	Actions
ANDERSON					North Central Texas				N	Edit

- Update the total number of precincts, and include 1 precinct for early voting.
(Report the number of precincts reporting, not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts

If you are a county using the **Countywide Polling Place Program (CWPP)**, enter the number of Election Day polling locations within your county, including one (1) for early voting. (You will still need to track election precincts for the precinct by precinct report, which we will ask for after election night.)

- Place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Enter the telephone number for your Central Counting Station.

Telephone number of Central Counting Station

- Enter or update the County Election Official, ENR Contact, and/or the ENR Alt Contact’s information. For phone numbers, enter the data without commas, dashes, or spaces.

Name: Contact Phone: Cell Phone: Home Phone:

- Click “Update” at the bottom of the page to save your changes.
- Logout

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

If you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.2216.

Alexy Rios

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Wednesday, January 31, 2018 8:05 AM
To: VRTeam
Subject: MASS EMAIL ADVISORY (VR/EA-659) -Voter registration deadline memorandum
Attachments: VR Application Sample Notification - March 6, 2018.pdf; Voter Registration Postmarks and Cut-Off Dates.pdf

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

Date: January 31, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, **Monday, February 5, 2018** is the last day for a voter to register to vote in the upcoming March 6th Primary Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the envelope from the SOS with the registrations, then all of the applications were received by us **after February 5, 2018** or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope

should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

THE ENCLOSED VOTER REGISTRATION
APPLICATIONS WITHOUT POSTMARKS CAME TO
OUR OFFICE IN PACKAGES WHICH WERE
POSTMARKED ON OR BEFORE FEBRAURY 5, 2018.
THE VOTERS ARE ELIGIBLE FOR THE MARCH 6,
2018 PRIMARY ELECTIONS. ANY QUESTIONS
PLEASE CALL ANDRIA PERALES WITH THE
ELECTIONS DIVISION TOLL-FREE AT 1-800-252-
2216, OPTION 4 OR EMAIL
APERALES@SOS.TEXAS.GOV.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

A handwritten signature in black ink, appearing to read "Keith Ingram", written over the "From:" line.

Date: January 31, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, **Monday, February 5, 2018** is the last day for a voter to register to vote in the upcoming March 6th Primary Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the

envelope from the SOS with the registrations, then all of the applications were received by us after February 5, 2018 or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, January 31, 2018 4:54 PM
Subject: Mass Email--CC/VR/EA--Advisory 2018-08 Voter Identification Procedures
Attachments: ADV2018-08 Voter Identification Procedures.pdf

Dear Election Officials,

Attached to this email is our Advisory 2018-08 on Voter Identification Procedures. This advisory provides updated information, procedures, and forms that reflect the changes in law under Senate Bill 5 from the 85th Regular Legislative Session (2017).

This advisory will be available on our website tonight. All forms are linked in the advisory. You can also locate these forms in our Forms Manual which you can will find on our Forms, Resources, and Legal Library page.

Please let us know if you have any questions or concerns.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **No. 2018-08**

TO: Election Officials

FROM: Keith Ingram, Director of Elections 

DATE: January 31, 2018

RE: Voter Identification Procedures under Senate Bill 5 (2017)

On January 1, 2018, certain provisions related to voter identification requirements under Senate Bill 5 from the 85th Regular Legislative Session (2017) went into effect. These changes codified certain components of the interim remedy order that has been in effect for Texas elections since August 10, 2016. In addition to codifying part of this interim order, SB 5 also made certain modifications to components of the interim remedy order. This advisory will summarize the provisions of SB 5 and explain the procedures related to these new provisions.

SB 5 provides for, among other things, the following changes to the Texas Election Code:

- If a voter possesses an acceptable form of photo identification, the voter must use it to vote. For voters aged 18-69, photo identification must be current or have expired no more than four years before being presented for voter qualification at the polling place. However, a voter aged 70 years of age or older may use an acceptable form of photo identification, no matter for how long it has been expired, so long as it is otherwise valid.
- If a person does not possess and cannot reasonably obtain an acceptable form of photo identification, then the person can present a supporting form of identification and sign a Reasonable Impediment Declaration, and vote a regular ballot.
- Provides a list of acceptable supporting forms of identification.
- Provides that the reasonableness of the voter's claimed impediment may not be questioned by the poll workers and that the addresses on the identifications do not have to match the voter registration address. The form warns that false statements and false information on a Reasonable Impediment Declaration subject a person to prosecution for perjury under Chapter 37, Penal Code, or Section 63.0013 of the Texas Election Code.
- Provides that after completing the Reasonable Impediment Declaration, the election worker must affix the voter's VUID to the declaration and note on the combination form that the declaration was used by the voter.
- Provides that a voter may cure a provisional ballot cast due to the failure to present an acceptable form of photo identification or follow the Reasonable Impediment Declaration procedure at the polls or a voter registration certificate with an "E" notation on it by (1)

presenting an acceptable form of photo ID; (2) if the voter does not possess and cannot reasonably obtain an acceptable form of photo ID, executing a Reasonable Impediment Declaration and presenting an acceptable form of supporting ID; or (3), if applicable, submitting the affidavit for one of the temporary exemptions (natural disaster or religious objection to being photographed); or (4) if applicable, qualifying for the permanent disability exemption to presenting acceptable photo ID or following the Reasonable Impediment Declaration procedure, within 6 days of election day at the voter registrar's office.

Voters who possess an **acceptable form of photo ID** for voting are still required to present it in order to vote in person in all Texas elections. With the exception of the U.S. Citizenship Certificate, which does not expire, the acceptable form of photo ID must be current or, for voters aged 18-69, have expired no more than 4 years before being presented for voter qualification at the polling place. Voters over the age of 70 may present an acceptable ID that is expired by more than four years as long as the ID is otherwise valid.

These are the 7 forms of acceptable photo ID:

1. Texas Driver License issued by the Texas Department of Public Safety ("DPS")
2. Texas Election Identification Certificate issued by DPS
3. Texas Personal Identification Card issued by DPS
4. Texas Handgun License issued by DPS
5. United States Military Identification Card containing the person's photograph
6. United States Citizenship Certificate containing the person's photograph
7. United States Passport (book or card)

Further, voters who do not possess one of the forms of acceptable photo ID, and cannot reasonably obtain one, may present a **supporting form of identification** of the voter and execute a **Reasonable Impediment Declaration ("RID")** (in [English \(PDF\)](#) or [Spanish \(PDF\)](#)). The Reasonable Impediment Declaration that must be used under SB 5 has various modifications from the interim remedy ordering including : (1) the addition of a box for the Voter's VUID, (2) the elimination of the "other" category listed under the reasonable impediments, (3) a statement that providing a false statement or false information on the RID could subject the voter to prosecution for perjury under Chapter 37 of the Penal Code, or Section 63.0013 of the Texas Election Code, (4) modified descriptions of certain supporting IDs, and (5) a space for the voter registrar to sign where the election judge would otherwise sign in the event a Reasonable Impediment Declaration is used to "cure" a provisional ballot at the voter registrar's office.

These are the 6 forms of supporting ID:

1. Copy or original of a government document that shows the voter's name and an address, including the voter's voter registration certificate;
2. Copy of or original current utility bill;
3. Copy of or original bank statement;
4. Copy of or original government check;
5. Copy of or original paycheck; or
6. Copy of or original of (a) a certified domestic (from a U.S. state or territory) birth certificate or (b) a document confirming birth admissible in a court of law which establishes your identity (which may include a foreign birth document).

Examples of government documents include driver's licenses from other states, ID cards issued by federally recognized Native American tribes (if the ID card contains an address), DPS Receipts

(without a photo), expired voter registration certificates, and expired Texas DPS-issued driver licenses or personal ID cards (over 4 years). Government documents do NOT include Social Security cards (no address), public college or university IDs without an address, state/federal employee ID cards without an address, or library cards without an address. The address on the government document has to be an address of the voter. It does not have to match the address on the Official List of Registered Voters.

Training Polling Place Workers and Procedures for County Election Officials

Preparing the Polling Place

The election officials should be prepare the polling place as usual; however, they should be provided with the following versions of the following forms:

1. **Voter Information Poster (Form 7-7):** This (as of 01/2018) form should be posted in both [English \(PDF\)](#) and [Spanish \(PDF\)](#) in a prominent location at each polling place.
2. **Notice of Acceptable Identification Poster (Form 13-8):** This form (as of 01/2018) should be posted in both [English \(PDF\)](#) and [Spanish \(PDF\)](#) in a prominent location outside of each polling location (available in three sizes; 8.5x14 sizes are linked; other sizes are available [here](#)).

Qualifying the Voter

1. The poll worker should ask the voter whether the voter possesses one of the acceptable forms of photo ID, which is either current or, if the voter is aged between 18-69 years, not expired more than four years, or, if the voter is aged 70 or older, may be expired for any length of time as long as it is otherwise valid. If the voter indicates that the voter possesses one of these acceptable forms of photo ID, the poll worker should ask the voter to present that acceptable form of photo ID.
 - o If the voter presents an acceptable form of photo ID, the poll worker should proceed to Step 2.
 - o **NOTE:** If a voter has continued access to their acceptable form of photo ID, but, for example, forgets to bring their acceptable form of photo ID to the polling place and/or left it, for example, at home or in their car, the voter still possesses the acceptable photo ID and must use it to vote. Accordingly, if the voter states that they possess an acceptable form of photo ID, but they did not bring it to the polling place, the poll worker should explain that the voter may take one of two actions:
 - The voter may leave the polling place and return with their acceptable form of photo ID. Once they return with their acceptable form of photo ID, the poll worker should proceed to Step 2.
 - The voter may cast a provisional ballot, and “cure” by appearing at the county voter registrar’s office within 6 calendar days of election day and presenting an acceptable form of photo ID, or completing a natural disaster affidavit because the voter’s acceptable photo ID is inaccessible due to certain natural disasters.
 - o If the voter states that they do not possess an acceptable form of photo ID, the poll worker should ask the voter whether the voter cannot reasonably obtain one of the acceptable forms of photo ID.
 - If the voter says “yes”, that they cannot reasonably obtain an acceptable form of photo ID, explain to the voter that the voter can show a supporting form of ID

and execute a **Reasonable Impediment Declaration** (in [English PDF](#)) or [Spanish PDF](#)))

- **Note:** If the voter states that they do not possess and cannot reasonably obtain an acceptable form of photo ID, the poll worker should not question the voter as to why. The poll worker should simply state that if the voter does not possess and cannot reasonably obtain an acceptable form of photo ID, they can show a supporting form of ID and execute a Reasonable Impediment Declaration.
- **Note:** The poll worker may not question the reasonableness of the voter's reasonable impediment. For example, if the voter checks "lack of transportation", the poll worker may not challenge the voter's access to a bus route or other means of transportation. A signed reasonable impediment declaration shall be rejected only upon conclusive evidence that the person completing the declaration is not the person in whose name the ballot is cast.
- **Note:** A voter who does not possess an acceptable form of photo ID includes a voter who does not possess a *valid* form of acceptable photo identification. Accordingly, a voter with a lost, stolen, suspended, or, if the voter is aged 18-69, expired more than four years, or, if the voter is aged 70 or older, is not otherwise valid (for these voters acceptable photo IDs may be expired for any length of time and still be used for voting so long as they are otherwise valid), form of photo ID listed above does not possess one of the acceptable forms of photo ID, and the voter could execute the Reasonable Impediment Declaration and present a supporting form of identification if the voter cannot reasonably obtain a replacement of the identification that was lost, stolen, suspended, revoked, expired or another form of acceptable form of photo ID.
- The poll worker should provide the voter with a Reasonable Impediment Declaration, and ask the voter to complete the form by writing their name, indicating at least one reasonable impediment, and signing and dating the Declaration.
- After the Declaration is completed by the voter, the voter should return the Declaration to the poll worker, and the poll worker should ask the voter to present one of the forms of supporting ID of the voter. The election judge should enter the date and then sign on the space provided on the Declaration. Either the poll worker or the election judge should indicate on the Declaration which supporting form of identification was presented. Either the poll worker or the election judge shall fill in the voter's VUID in the appropriate box or affix a sticker that contains the information across the box, and note on the combination form that the Declaration was used by the voter. Either the poll worker or the election judge should fill in the Date of Election and Location fields.
- If the voter states that they do not possess an acceptable form of photo ID, and the voter can reasonably obtain an acceptable form of photo ID, the voter should be offered a provisional ballot. The voter may "cure" by appearing at the county voter registrar's office within 6 calendar days of election day and presenting an acceptable form of photo ID or qualifying for one of the exemptions (disability, natural disaster, or religious objection to being photographed).

- *If* the voter states that they do not possess an acceptable form of photo ID, and the voter would otherwise not be able to reasonably obtain an acceptable form of photo ID, but has not brought a supporting form of ID to the polling place, the voter should be offered a provisional ballot. The voter may “cure” by appearing at the county voter registrar’s office within 6 calendar days of election day and presenting an acceptable form of photo ID, showing a supporting forms of ID and completing the **Reasonable Impediment Declaration**, or, if applicable, qualifying for one of the exemptions (disability, natural disaster, or religious objection to being photographed). In addition, if the voter would otherwise not be able to reasonably obtain an acceptable form of photo ID, but has not brought a supporting form of ID to the polling place, the poll worker should explain that that voter may also opt to leave the polling place, and return at a later time with their acceptable form of supporting ID and vote a regular ballot after executing a Reasonable Impediment Declaration at that time.
 - **Note:** The ability to “cure” by showing either an acceptable form of photo ID or, for voters who do not possess and cannot reasonably obtain an acceptable form of photo ID, by showing one of the supporting forms of ID and executing a Reasonable Impediment Declaration, is a change in procedure resulting from SB 5. The interim remedy order did not allow for any voters to “cure” by showing a supporting form of ID and executing a Reasonable Impediment Declaration.

If the voter casts a provisional ballot due to not providing an acceptable form of photo ID or not following the Reasonable Impediment Declaration at the polls, the procedures for casting a provisional ballot have not changed, but poll worker should provide to the voter a Notice to Provisional Voter (ID Voter)(Form 7-15c)(as of 01/2018), available in [English\(PDF\)](#) and [Spanish \(PDF\)](#).

Although as of September 1, 2017, it is no longer legally required, it is strongly advised that voters who do not present an acceptable form of photo ID (including, but not limited to, those who do not possess and cannot reasonably obtain an acceptable form of photo ID who present a supporting form of ID and execute a Reasonable Impediment Declaration), be provided with a copy of Notice of Required Identification (Form 13-1) (as of 01/2018), available in [English \(PDF\)](#) and [Spanish \(PDF\)](#).

2. The poll worker should confirm that the voter is on the official list of registered voters, by finding the voter’s name on the official list of registered voters. If the voter is not on the official list of registered voters, the poll worker should follow the procedure specified in Section 63.006, except that for voters who do not possess and cannot reasonably obtain an acceptable form of photo ID, and who execute a Reasonable Impediment Declaration and present a supporting form of ID, the supporting form of ID may also be used as the “acceptable voter ID” (referenced on Form 7-27) along with the voter’s voter registration certificate (and the supporting form of ID may also be the voter’s valid registration certificate).
 - **Note:** The Registrations Omissions List ([Form 7-27 \(PDF\)](#)) has not been updated at this time. The “acceptable voter ID” referred to in the definition of “Required documentation” on the instructions for that form now includes a “supporting form of ID” for voters who do not possess and cannot reasonably obtain an acceptable form of photo ID and who execute a Reasonable Impediment Declaration and present a supporting form of ID.

3. The poll worker should fully compare the voter's name as listed on the official list of registered voters to the voter's name as it appear on present form of ID.
 - **NOTE:** This comparison should be done regardless of whether the voter presents an acceptable form of photo ID *or* presents a supporting form of ID while executing a Reasonable Impediment Declaration.
4. The poll worker should confirm that the voter's address on the official list of registered voters is current by confirming that the voter has not moved.
 - **NOTE:** The address on the voter's presented ID (either an acceptable photo ID or a supporting ID) does not have to match the voter's address on the official list of registered voters.
5. The voter should sign the combination form/signature roster, and execute any required affidavits, such as the substantially similar name affidavit.
6. If the voter does not provide acceptable form of photo ID, and instead, does not possess and cannot reasonably obtain an acceptable form of photo ID, and provides one of the supporting IDs and executes a Reasonable Impediment Declaration, the poll worker should mark the "Reas. Imped. Decl. 63.001(i)" box on the Combination Form. The Combination Form for both election day ([Form 7-20](#)) and early voting ([Form 5-20](#)) have been modified to reflect this change.
7. The voter should complete the check-in proceed to voting a regular or provisional ballot as appropriate. **Voters who do not possess and cannot reasonably obtain an acceptable form of photo ID, who complete the Reasonable Impediment Declaration and present a supporting form of ID, are permitted to cast a regular ballot if they are otherwise qualified to vote a regular ballot.**
 - **NOTE:** The Affidavit of Provisional Voter ([Form 7-15 \(PDF\)](#)) has not been updated at this time with a specific reference to the Reasonable Impediment Declaration procedure. For purposes of boxes to be checked at the polling place, the "Failed to present acceptable form of identification or voter certificate with exemption" box includes failing to follow the Reasonable Impediment Declaration procedure.

Receiving Mail Ballots

The procedure for the early voting clerk to receive ballot by mail has not changed, except that the early voting clerk should use the 01/2018 version of the Hand Delivery Roster ([Form 5-11a \(PDF\)](#)) for accepting carrier envelopes delivered to the early voting clerk on election day, which now also permits voters who do not possess and cannot reasonably obtain an acceptable form of photo ID, delivering their ballots in this manner, to complete the Reasonable Impediment Declaration and present a form of supporting identification.

Cure Period After the Election

The voter registrar should use the following forms (as of 01/2018) during the cure period.

Cure list ([Form 9-7 \(PDF\)](#))

Request for Disability Exemption ([Form 13-6 \(PDF\)](#))

Temporary Exemption ([Form 13-7 \(PDF\)](#))

Additional Forms

The following forms (applicable to voters voting for the first time with an “ID Required” flag also account for first time voters who do not possess and cannot reasonably obtain an acceptable form of photo ID):

- **Form 5-22a:** Notice to Voter Who Must Provide Identification (For Voters Voting by Mail (For Voters Voting by Mail (in [English \(PDF\)](#) and [Spanish \(PDF\)](#)) (updated 1/2018))
- **Form 5-8 (PDF):** List of Voters Indicated as ID Voters (updated 01/2018)

Records Requirement

All Reasonable Impediment Declarations should be scanned or photocopied and submitted to the Secretary of State not later than 30 days after the election.

If you have any questions or concerns that are not covered by this Advisory, please do not hesitate to contact the Elections Division toll-free at 1-800-252-2216.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, February 09, 2018 2:40 PM
Subject: Mass Email Advisory--CC/VR/EA(905)--Advisory 2018-09 - Laws and Procedures for Annual and Regular ABBMs
Attachments: ADV2018-09 - Laws and Procedures for Annual and Regular ABBMs (FINAL).pdf

Dear Election Officials,

Attached to this email is Advisory 2018-09 – Laws and Procedures for Annual and Regular ABBMs. This advisory provides updated information and FAQs on the processing and procedure related to both annual and regular Applications for Ballot by Mail (“ABBM”).

When posted, this advisory will be available on your [Conducting Your Elections](#) page.

Please let us know if you have any questions or concerns.

Christina Worrell Adkins
Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections



To better serve you, the Texas Secretary of State is conducting a “[Customer Satisfaction Survey](#)”. Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando Pablos
Secretary of State

ELECTION ADVISORY **NO. 2018-09**

TO: All Texas Election Officials

FROM: Keith Ingram, Director of Elections 

DATE: February 9, 2018

RE: Laws and Procedures for Annual and Regular ABBMs

This advisory provides information on the laws and procedures regarding submission, processing, and retention of Annual and regular (single-use) Applications for Ballot by Mail (ABBM), as well as FAQs. All references are to the Texas Election Code, unless otherwise indicated.

- **Eligibility for Early Voting by Mail**
- **Submittal Period for ABBMs and Length of Validity**
- **Methods of Submission of the ABBM - NEW LAW**
- **Witnessing of and Assistance with ABBMs**
- **Processing an ABBM by EV Clerk and Receiving Multiple Applications from a Single Voter**
- **Cancellation of ABBMs**
- **Voter Registrars and ABBMs**
- **Public Information Requests and Annual ABBMs**

Eligibility for Early Voting by Mail

A qualified voter of the political subdivision may apply for a ballot by mail if the individual falls into one of the categories listed below. The voter:

- Will be 65 years of age or older on election day;
- Has a disability, defined as a sickness or physical condition that prevents the voter from voting in person without a likelihood of needing personal assistance or injury to the voter's health;
- Expects to be out of the county during the hours that voting is conducted during early voting in person and on election day; or
- Is confined in jail 1) serving a misdemeanor sentence and will not be released prior to election day, 2) pending trial or an appeal of a conviction after denial of bail or without bail, or where release on bail before election day is unlikely.

NOTE: Only those in the first two categories are eligible to submit an Annual ABBM.

An Annual ABBM is one in which a voter either has not specified the election for which a ballot is requested or affirmatively indicates it is an application for more than one election (by checking the box for “Annual” or otherwise indicating it is to be an Annual ABBM). An Annual ABBM may be submitted to an Early Voting Clerk (“EV Clerk”) of any political subdivision, not just to the county EV Clerk. Note that an Annual ABBM is considered to be an application for each election, including an ensuing runoff (regardless of whether the voter explicitly requested the runoff ballot), and the Annual ABBM is good for all elections held before the earlier of:

- The end of the calendar year; or
- The date the voter’s registration is cancelled.

Any voter eligible to vote by mail may submit a single ABBM requesting ballots for both the main election and any ensuing runoff (even if it is not an Annual ABBM). Section 84.001(e) provides that such an ABBM, if received past the deadline for the main election, will still be considered good for the runoff as long as it is received by the deadline for the runoff election.

Eligibility FAQ:

Q: Who may apply for an Annual ABBM?

A: Only voters that are voting by mail on the grounds of **age or disability** may submit an Annual ABBM. If a voter is voting by mail due to confinement in jail or an absence from the county during the election period, the voter may only submit an ABBM for a single election. [§ 86.0015(a)(1)]

Q: May a voter under 65 years of age submit an Annual ABBM if the voter will turn 65 before the first election in which they will vote by mail?

A: Yes. Under the Texas Election Code, a voter must be “65 years of age or older on election day” to vote early by mail. [§ 82.003]

Submittal Period for ABBMs and Length of Validity

The deadline to submit an ABBM is: Before the close of regular business in the EV Clerk’s office, or 12 noon, whichever is later, on the 11th day before election day, unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day. An ABBM may be submitted at any time in the calendar year of the election for which the ballot is requested. Similarly, the first day to submit an Annual ABBM is January 1 of the calendar year it is intended to apply to, **unless the following exception applies:**

An Annual ABBM is considered to be submitted in (and good for) the following calendar year if the voter is eligible to vote in a January or February election to be held in the next calendar year, and the Annual ABBM is submitted not earlier than the 60th day before the date of the January or February election.

Submittal Period FAQ:

Q: May voters submit an ABBM or an Annual ABBM anytime throughout the calendar year?

A: Yes. Voters may submit an ABBM or an Annual ABBM anytime during the calendar year. [§ 86.0015(b)] However, any ABBM **must be received at least 11 days before the first election** in which the voter seeks to request a ballot by mail. [§84.007(c)]. Note that for elections held on a Tuesday, the

11th day falls on a weekend, and the deadline to submit the application would be the previous business day.

Q: How long is the Annual ABBM valid?

A: The Annual ABBM is valid from the time the EV Clerk receives it until the earlier of the end of the calendar year or until the voter's registration in the county is cancelled. [§ 86.0015(b)]

Methods of Submission of the ABBM - NEW LAW

An ABBM, including an Annual ABBM, may be submitted by mail via the U.S. postal service, by common or contract carrier (such as UPS, DHL, UPS, or a local courier service), in person by the voter themselves (before early voting in person begins), by fax, or by email. However, please note that **if an ABBM is faxed or emailed to the EV Clerk, it must be followed up by the original within 4 business days.** See **NEW LAW, Senate Bill 5 (85th Legislature, 1st CS, 2017)**, below.

- A list of email address for the county EV Clerks is available on our website, at this link: <http://www.sos.state.tx.us/elections/voter/county.shtml>. Voters may obtain email addresses for the EV Clerks of political subdivisions other than counties by contacting those EV Clerks directly.

NEW LAW: Senate Bill 5 (85th Legislature, 1st CS, 2017), effective December 1, 2017, amended Section 84.001 to provide that an electronic signature is not permitted on an ABBM; Section 84.007 was also amended to provide that if an ABBM is faxed or emailed or if an FPCA is faxed, then the voter must submit the ORIGINAL application BY MAIL to the EV Clerk so that the EV Clerk receives the original no later than the **4th business day** after receiving the emailed or faxed ABBM or faxed FPCA. Sections 84.001(b) and 84.007(b-1). If the EV Clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the EV Clerk may not send the voter a ballot based on the faxed or emailed ABBM or faxed FPCA. However, if the original is still received prior to the deadline to apply for a ballot by mail, the EV Clerk may process that ABBM/FPCA as a new application. See FAQ, below.

- **NOTE:** An FPCA rejected for ballot purposes would still serve to register the voter (if the voter is eligible to be registered), even though it will not allow the voter to be sent ballots. The EV Clerk should still retain a copy of the FPCA for their own records, but should send the FPCA submitted by the voter to the Voter Registrar for registration purposes.

If a voter faxes or emails the ABBM or faxes the FPCA, the date the EV Clerk receives the fax or email is considered the date of submission. Essentially, the faxed or emailed form serves as a place-holder for the voter. Therefore, a voter whose application was faxed or emailed by the 11th day before election day (the deadline), and whose original application is received on or before the 4th business day after that date, would still be entitled to receive a ballot for the election (if otherwise eligible). The EV Clerk will have to hold the faxed or emailed ABBM or faxed FPCA until the clerk receives the original, and would only send the voter a ballot (and mark the list) if the original is received by the 4th business day after the faxed or emailed ABBM or faxed FPCA was received. The requirement to mail the original application does not apply to an emailed FPCA. An FPCA has independent authority for email delivery under Section 101.052.

Submission FAQ

Q. What if the EV Clerk receives a faxed or emailed ABBM and the voter subsequently hand-delivers the ABBM by the 4th business day after the faxed or emailed ABBM was received OR the voter mails the ABBM, but it is received after the 4th business day?

A. Assuming the hand-delivered ABBM was delivered prior to the start of Early Voting in Person, the EV Clerk may disregard the faxed or emailed ABBM (but maintain it as part of the election records), and treat the hand-delivered as a new application. Similarly, if a voter mails the original ABBM after faxing or emailing the ABBM, but the original is not received until after the 4th business day after the faxed or emailed ABBM was received, then the EV Clerk may disregard the faxed or emailed ABBM (but maintain it as part of the election records), and treat the mailed ABBM as a new application. The mailed ABBM would still have to arrive prior to the deadline to apply for a ballot by mail (the 11th day before election day). Note that an FPCA cannot be hand-delivered.

Witnessing of and Assistance with ABBMs

Pursuant to Section 1.011, the application may be signed by a witness if the voter themselves cannot sign due to physical disability or illiteracy. The person who cannot sign must put their mark on the ABBM, but if they cannot make a mark, the witness must indicate that fact on the ABBM. The witness must then write their own name, residence address, and signature on the ABBM (unless the witness is an election official, in which case the residence address is not required and instead the witness must include their official title). The witness must also indicate their relationship to the voter, if a relative of the voter. Finally, the witness must indicate on the ABBM that they are serving as a witness (or assistant, or both). On the official state ABBM, this means the witness must complete Box 11. Note that all of these actions must be conducted in the presence of the voter.

Section 84.004(a) provides that a person commits an offense if the person witnesses more than one Annual ABBM per year or one single-use ABBM per election. However, the prohibition does not apply if the additional voters are related to the witness as a parent, grandparent, spouse, child, or sibling, or if the witness is an EV Clerk or deputy EV Clerk. Note that a violation of this rule does not affect the validity of the ABBM.

A voter also may be assisted with completing and submitting an ABBM. Note that an assistant may submit an ABBM for a voter through any of the approved methods, except hand-delivery. Only the voter themselves can hand-deliver their ABBM, and this must be prior to the start of early voting by personal appearance. Any individuals who assist a voter in completing or submitting an ABBM must complete the assistant information on the ABBM, by checking the appropriate box (to indicate if they are serving as an assistant, witness, or both), and providing their own name, residence address, and signature. On the official state ABBM, this means the assistant must complete Box 11.

Witness/Assistance FAQ:

Q: How many Annual ABBMs may a person witness in a calendar year?

A: Unless a close relative, a person may witness one regular ABBM per election in a calendar year, or **one Annual ABBM for the entire calendar year**. Violation of this law does not invalidate the ABBM. [§ 84.004]

Q: May an assistant fax or email a voter's ABBM?

A: Yes, if the assistant completes the Assistant portion of the application (remember that the original hard copy must also be mailed in). [§ 84.003, § 84.007]

Q: May ABBMs be faxed from a political campaign building/headquarters?

A: Yes. While there are legal prohibitions on mailing a ballot carrier envelope, there are no legal prohibitions on faxing or emailing applications from campaigns. However, a campaign worker faxing or emailing the applications on behalf of the voters must complete the assistance portion of the ABBM (remember that the original hard copy must also be mailed in). [§ 84.003, § 84.007]

Processing an ABBM by Early Voting Clerk and Receiving Multiple Applications from a Single Voter

The EV Clerk must review each ABBM submitted and make a determination as to whether the voter is a qualified voter in the EV clerk's territory and otherwise eligible to vote by mail. If the voter is eligible to receive a ballot, then the EV Clerk must mail the balloting materials to the voter not later than the 7th calendar day after the EV clerk accepts the application, or the date the ballots become available for mailing, whichever is later. If that mailing date is more than 45 days before election day, the balloting materials must be mailed no later than the 39th day before election day. An EV clerk will be receiving ABBMs on a rolling basis and must continue to send ballots out as expeditiously as possible for all ballots received prior to the deadline for the given election.

NEW LAW: House Bill 4034 (85th Legislature, RS, 2017) added new Section 84.014 to the Election Code, which requires the EV Clerk to notify the Voter Registrar ("VR") if the date of birth, driver's license number, or social security number on an ABBM is different from the information on the list of registered voters. Note that the ABBM does not contain spaces for the voter to provide a driver's license number or a social security number. There is space for the voter to put their date of birth, but that information is listed as optional on the ABBM form. Therefore, it is likely that the EV Clerk will not often be in the position of having to forward new information to the VR. If the EV Clerk does have to forward such new information, we recommend that the clerk make a copy of the ABBM in question, and forward that copy to the VR, with a note explaining the reason the ABBM is being forwarded. The VR may then update the voter's record without having to send any further correspondence to the voter.

Note that in an election of a political subdivision located in a county in which the county clerk is **not** serving as the EV Clerk, the county clerk shall provide the EV Clerk of the political subdivision that is holding the election a list of voters in the portion of the political subdivision located in the county who have Annual ABBMs on file with the county. The EV Clerk of the political subdivision shall provide a ballot to be voted by mail to each voter on the list. This list will be referred to as the "List of Annual ABBM Voters."

Processing ABBMs and Receiving Multiple ABBMs FAQ:

Q. What if the residence address the voter writes on the ABBM is different from the residence address at which the voter is registered?

A. As long as the voter is registered in the political subdivision holding the election, **and** as long as the address on the ABBM is also within that political subdivision, then the EV Clerk should process the ABBM (if the voter is otherwise eligible to vote in the election) and send the voter a Statement of Residence ("SOR") along with the balloting materials. If the addresses do not meet this criteria, then the EV Clerk must reject the ABBM (or forward it to the correct EV Clerk, if applicable). If mailing the voter a ballot, the EV Clerk must make a notation on the Carrier Envelope that an SOR is included so that the Early Voting Ballot Board ("EVBB") knows to look for the SOR with the marked ballot; the EVBB cannot count that ballot if the SOR is not returned by the voter.

Q. What if the address on an ABBM to which the voter wants their ballot mailed is not the same as the voter's registration address, is not the voter's official mailing address per the voter registration roll, and is not one of the acceptable categories for a mailing address on the ABBM (nursing home, residential care facility, address of a relative for voters 65 or older or with a disability, an address outside the county for a voter voting due to being outside the county, etc.)?

A. The EV clerk must reject the application and send the voter a notice of rejection. If the rejection is made by the 18th day before election day, the EV Clerk must include a new, blank ABBM for the voter's convenience. [§86.008]

Q: What if a voter does not check any boxes indicating for which election(s) they wish to receive a ballot (Box 6a on the official state ABBM form)?

A: It depends on the elections within that calendar year. If it is a primary election year, e.g. 2018, and the voter did not select which party's ballot they would like to receive, the EV Clerk should reject the ABBM for purposes of the primary election, but otherwise treated as an Annual ABBM. The EV Clerk should notify the voter of the rejection of the ABBM as it applies to the primary election, but also check the box that indicates the application will be considered an Annual ABBM (see reason #9 on the Notice of Rejected ABBM). [§ 86.0015, § 86.001] If it's an odd-numbered year, e.g. 2019, and the voter did not select any elections, the application would be considered an Annual ABBM and processed accordingly. [§ 86.0015(a)]

Q: If a voter "requests" all ballots for the year by failing to mark any election in odd-numbered years, or only marking a primary in even-numbered years, does the EV Clerk need to send the voter any notice letting them know that their application will be treated as an Annual ABBM?

A: No. However, if the EV Clerk would like to send the voter such a notice, they may do so. [§ 86.0015]

Q: What if a voter checks boxes for multiple elections on the ABBM form (for example, all of the boxes in Box 6a on the official state ABBM form)?

A: It depends on if the voter declared one political party or checked the boxes for both the Democratic and Republican primaries. If the voter checks all the boxes, and correctly declares only one party for receipt of a primary ballot, this should be considered an Annual ABBM. If the voter checks all boxes and both political parties, the EV Clerk should reject the application for purposes of the primary (as it is not possible to tell which primary the voter wishes to vote in), but should accept the ABBM as an annual ABBM (if the voter is otherwise eligible for an Annual ABBM). The EV Clerk should notify the voter of the rejection of the ABBM as it applies to the primary election also check the box that indicates the application will be considered an Annual ABBM (see reason #9 on the Notice of Rejected ABBM) and provide guidance on how to properly re-apply. [§ 86.0015, § 86.001]

Q: What happens when the county receives multiple applications from an individual?

A: If the information on each is the same, then the latter ABBM should merely be considered a duplicate. If the information on the later-filed ABBM is different, then we recommend that the most recent ABBM received be considered the current one, and that any previously-submitted ABBMs are considered cancelled by the most recently submitted one. There is one exception to this general rule, and that is when the voter has sent a "single-use" ABBM (directly to the county or to a political subdivision) with the reason for voting being due to being outside the county, and the county or political subdivision has already sent a ballot to the out-of-county address provided by the voter on the ABBM. If a voter later submits an Annual ABBM, with a different address to mail the ballot, then we believe the county or political subdivision should NOT send another ballot to the voter unless the voter explicitly cancels the ballot using the procedures under Section 84.032.

Please see below for various other possible scenarios:

Scenario 1: A voter who is eligible for an Annual ABBM sends in multiple applications for a ballot by mail. The first one has only one boxed checked for “Republican Primary,” and the second application has only one boxed check for “Democratic Primary” (or vice versa).

Answer: In the case where the voter provides two applications with different primaries checked, the second application for ballot by mail will cancel the first application. A letter may be sent to the voter informing them of this action. The second application submitted will be considered the valid one, and the EV Clerk should send the voter a ballot for the primary indicated on that second-in time ABBM. This is the case even if the EV Clerk has already mailed the voter a ballot based on the first ABBM. If the voter returns the first mailed ballot, it should be treated as cancelled and not sent to the early voting ballot board.

Scenario 2: A voter who is eligible for an Annual ABBM sends in multiple applications for a ballot by mail. The first one reflected a single choice for an election, and the second application selects “Annual Application.”

Answer: In this case, the first application would be valid for one election. Once the second application was received for an Annual ABBM, the voter should receive all ballots for the remainder of the calendar year. NOTE: If the second application would be considered an Annual ABBM because the voter marked all boxes or no boxes as described in the other Q&As in this section, the second application would still be an Annual ABBM and the voter would be entitled to receive ballots for the remainder of the calendar year.

Scenario 3: A voter who is eligible for an Annual ABBM sends in multiple applications for a ballot by mail. The first one did not reflect any choice for any elections, and the second application reflects a choice for a single election.

Answer: In this case, if the voter first submitted an Annual ABBM they are entitled to receive all ballots in the calendar year. As long as all of the remaining information on the second application (such as the voter’s reason for voting, residence address, etc.) are the same, the second application should be treated as a duplicate. The EV Clerk may send a note that the voter is already set to receive the ballot due to their Annual ABBM.

Cancellation of ABBMs

If a voter’s registration is cancelled in the county, then the voter’s ABBM or Annual ABBM would also be cancelled. If the VR informs the EV Clerk that a given voter’s registration has been cancelled (e.g., the voter no longer appears on the official list of registered voters for that election), then the EV Clerk should note on the ABBM that it has been cancelled.

It is also possible for voters themselves to cancel their own ABBM. As noted previously in this advisory, submitting multiple ABBMs may result in the cancellation of the originally submitted ABBM. For more details and examples, please refer to the section entitled “Processing an ABBM by EV Clerk and Receiving Multiple Applications from a Single Voter,” above.

Section 84.038 provides that a cancellation made in person under Section 84.032(c), (d), or (e) is effective for a single election only and will not serve to cancel an ABBM for purposes of other elections held by the EV Clerk that year. Thus if a voter cancels his ballot by mail in one of the ways detailed below, the cancellation is deemed to be for that specific ballot only, and does not serve to cancel the voter’s Annual

ABBM for other elections held in the year OR any other ballot for an election held on the same day by a different EV Clerk.

- Cancellation under Section 84.032(c): An voter may submit a request to cancel an ABBM after the close of early voting by personal appearance by appearing in person and either returning the ballot to be voted by mail to the EV Clerk or executing an affidavit that the voter has not received the ballot to be voted by mail.
- Cancellation under Section 84.032(d): An voter may submit a request to cancel an ABBM by appearing in person and returning the ballot to be voted by mail or presenting a notice received under Section 86.006(h) (Notice of Improper Delivery) to the EV Clerk or deputy EV Clerk at any polling place that is open for early voting by personal appearance or to the presiding election judge on election day at the voter's precinct polling place.
- Cancellation under 84.032(e): An voter may also submit a request to cancel an ABBM at any time after the early voting ballot is returned to the EV Clerk as a marked ballot and before the ballot is delivered to the early voting ballot board by appearing in person and executing an affidavit that the voter did not mark the ballot.

The legislature specifically did not include cancellation under Section 84.032(a) as one that would only serve to cancel the single ballot and not the Annual ABBM. Thus, it is possible for a voter to send a written, signed communication (in person or by mail, fax, or a signed, scanned, and emailed letter) to the appropriate EV Clerk requesting that their Annual ABBM be cancelled, and this would serve to cancel the Annual ABBM for the remainder of the year. This would also cause the county EV Clerk to update the List of Annual ABBM Voters, to remove that voter from the list. Note that such a communication would also serve to cancel the current ballot, as long as that communication was submitted to the EV Clerk not later than the third day before election day and before the carrier envelope is received by the EV Clerk. In order to illustrate the cancellation process, we have provided two cancellation scenarios, below.

Scenario 1: Cancellation under Section 84.032(a)/Cancellation of Annual ABBM.

A county, city, and school district are holding a joint election on November 6, 2018. The county is serving as the EV Clerk for all three entities (county, city, and school district), through a joint election agreement. A hospital district is also holding an election, but does not have a joint election agreement with the county or other entities and thus has its own EV Clerk. As required by law, the county has sent the hospital district the List of Annual ABBM Voters for the district to use in its election. Mr. John Q. Voter, who is on the List, is eligible to vote in the county, city, school, and hospital district elections. On October 1, the county sends Mr. Voter a ballot for the county, city, and school elections (as the county is the EV Clerk for each of these elections), and the EV Clerk for the hospital district sends Mr. Voter a ballot for the hospital district election. What if Mr. Voter submits a letter to the county EV Clerk on October 16 explicitly requesting that his Annual ABBM be cancelled for the remainder of the year? Note that this request is submitted in time for it to cancel Mr. Voter's current ballots (as it was submitted at least three days before election day and before the carrier envelope arrives back at the appropriate EV Clerk's address). Assuming Mr. Voter did not separately submit a single-use ABBM directly to the Hospital District, what is the result?

- The Annual ABBM will be cancelled for the remainder of the year. (Secs. 84.032, 84.038)
- The county will update the List of Annual ABBM Voters accordingly (Sec. 86.0015)

- The county must inform the hospital district of the cancellation by sending an update to the List of Annual ABBM Voters to the hospital district (Sec. 86.0015)
- All ballots sent by all EV Clerks to that voter for that election date will be cancelled (Secs. 84.032, 84.038)
- The word “cancelled” should be written on the original and any copies of the Annual ABBM (Sec. 84.033)
- Both the county and the hospital district must remove the voter’s name from their early voting roster and precinct early voting list, and make any other changes necessary to prevent the ballot(s) from being counted if returned. (Sec. 84.035)
- Any ballot returned after such cancellation in a sealed carrier envelope must be treated as a marked ballot not timely returned and not forwarded to the EVBB. (Secs. 84.035, 86.011(c)).
- If there is a runoff election (e.g., for the city), the voter should not be sent a ballot for that election, because the Annual ABBM has been cancelled outright.

Scenario 2: Cancellation under Section 84.032(c)/Cancellation of Single Ballot.

Same fact pattern as Scenario 1, except that rather than sending a letter explicitly requesting that the Annual ABBM be cancelled, the voter instead shows up at the county EV Clerk’s office on Monday, November 5, 2018, with his ballot (which contains the county, city, and school district elections). The voter wishes to cancel this ballot under Section 84.032(c). Accordingly, the voter hands the ballot to the EV Clerk, and completes Part A of the Request to Cancel Application for Ballot by Mail form. What is the result?

- The County/City/School district ballot is cancelled and not sent to the EVBB.
- The County EV Clerk must write on the ballot itself that it is cancelled (Sec. 84.033)
- The Hospital District ballot is not cancelled and should be counted if returned.
- The county EV Clerk must remove the voter’s name from their early voting roster and precinct early voting list. (Sec. 84.035)
- The Annual ABBM is left intact and is not cancelled.
- The List of Annual ABBM Voters need not be updated as the Annual ABBM is still good.
- If there is a runoff election (e.g., for the city), the voter must be sent a ballot for that election as the Annual ABBM is still good.

Note that if a voter votes **provisionally** in a given election due to a by-mail ballot issue, this will not have the effect of cancelling the Annual ABBM, but rather will be viewed as a cancellation for a single election only. Whether the provisional ballot can be counted depends upon whether the EVBB determines it has already qualified and counted a by-mail ballot from that voter. We do not recommend that you immediately cancel the by-mail ballot of a voter who votes provisionally even if your system allows immediate cancellation of that ballot, but rather wait to let the EVBB do its work.

Cancellation FAQ:

Q: What if a voter submitted an Annual ABBM, but then brings his or her ballot to the polling place and cancels the mail ballot? Does that cancel the Annual ABBM for the rest of the calendar year or just for that election?

A: No, this would be considered a cancellation of that ballot only, and not a cancellation of the Annual ABBM. The Annual ABBM will be cancelled for the rest of the year. [§ 84.032(d)]

Q. What do we do with a ballot that is returned by a voter whose application for that ballot has been cancelled?

A. That ballot should be treated as though it is a ballot that was not timely returned. As such, we suggest that the EV Clerk make a notation on the carrier that it was returned after the ABBM was cancelled, and be sure that the ballot is not forwarded to the EVBB. See Sections 84.036 and 86.011.

Voter Registrars and ABBMs

Typically, if the VR is not an EA or otherwise tasked with running elections for the county, the VR will not interact with ABBMs. However, under new Section 84.014 (added by House Bill 4034, 85th Legislature, RS, 2017), the EV Clerk must notify the VR if an ABBM from a voter gives a date of birth, driver's license number or social security number that is different from what shows on the list of registered voters. The EV Clerk should provide the VR with a copy of the ABBM, and the VR should update the voter's information accordingly, without further correspondence with the voter.

Q: How should VRs notify EV Clerks of changes in registration that may cancel an Annual ABBM?

A: Before every election, the VR should provide an updated List of Registered Voters to the EV Clerk. The EV Clerk should compare the list of Annual ABBM voters to the List of Registered Voters, and work with the VR to resolve any discrepancies.

Q: What if the EV Clerk receives information that a voter may have been convicted of a felony, deemed mentally incompetent, or has registered in a new county?

A: As stated above, prior to every election the VR should provide an updated List of Registered Voters to the EV Clerk. The EV Clerk should compare the list of Annual ABBM voters to the List of Registered Voters, and work with the VR to resolve any discrepancies. It is possible that a voter may no longer be a qualified voter under § 11.002. If, after the investigation, the voter is not entitled to vote by mail, the EV Clerk should reject the application under § 86.001.

Q: What if the EV Clerk receives information that a voter may be ineligible due to death, but the VR has not yet officially received an abstract of death?

A: As stated above, prior to every election the VR should provide an updated List of Registered Voters to the EV Clerk. If the voter is still on the List of Registered Voters, but the EV Clerk believes this is incorrect, they should notify the VR and initiate an investigation. If, after the investigation, the voter is not entitled to vote by mail, the EV Clerk should reject the application under § 86.001.

Public Information Requests for ABBMs or Rosters

NEW LAW: House Bill 2559 (85th Legislature, RS, 2018) amended Section 86.014 to provide that a copy of an ABBM, including an Annual ABBM, becomes public information on the first business day after the election day of the **FIRST** election for which the application is valid (as opposed to prior law, which provided the copy was not available until the last election for which the ABBM was valid).

The **original** ABBMs are not available for public inspection until those materials are delivered to the general custodian of records after the election. [§ 86.014].

However, note that the information pertaining to a voter who has been entered onto the Roster for Early Voting by Mail must be made available for public inspection on the **earlier** of the day following the day the EV Clerk receives the ballot from that voter, or on the next business day after election day. See Section 77.121(f) & (h). There is an exception to this general rule that allows the voters themselves to review the Roster at any time to verify that their own information is accurate. The information on the Roster for Early Voting by Mail includes the by-mail voter's name, residence address, voter registration number, precinct number, the date the ballot was mailed to the voter, and the date the EV Clerk received the ballot back from the voter, if applicable.

Q. If a voter cancels their ABBM, do we remove their name from the Roster?

A. Yes, and the EV Clerk must make any other entries on election records or take any other action necessary to prevent the ballot from being counted, if the ballot is returned. Section 84.035.

KI:CG

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, February 19, 2018 1:16 PM
To: Elections Internet
Subject: MASS EMAIL --CC/EA/VR (905) SOS Updates

Dear County Election Officials,

As we head into early voting, we wanted to provide a summary of all of the advisories issued and forms modified in anticipation of the Primary Election. We hope that by listing everything in one email, it will make it easier for you all to find what you need during the Primary Election.

Below is a list of all advisories that have been issued in 2018. They are listed on your [Conducting Your Elections](#) pages and on our [Election Division Advisories](#) page that is located in our [Forms, Resources, and Legal Library](#). Please note that there are several other advisories we will be issuing in the next two weeks that relate to issues affecting the primary election. These advisories will also be listed on the pages stated above.

Election Division Advisories

No. 2018-11	Certain Activities in Vicinity of Polling Place* *Advisory emailed, not yet posted to website.
No. 2018-10	Limited Ballot Voters and District Chart
No. 2018-09	Laws and Procedures for Annual and Regular ABBMs
No. 2018-08	Voter Identification Procedures
No. 2018-07	Updated Primary Election Procedures
No. 2018-06	Joint Primary Election Signage
No. 2018-05	Emergency Ballot Procedures
No. 2018-04	FWABs and Voters in Hostile Fire Pay and Combat Zones
No. 2018-03	Instructions and Deadlines for Mailing/Emailing Ballots Under the Federal "MOVE Act" for Overseas Voters
No. 2018-02	Ballot by Mail Deadlines; HB 1151, HB 929 (Regular Session); SB 5 (Special Session)
No. 2018-01	Registering a Voter at a Business Address

As a result of the 2017 regular and special legislative sessions, the Secretary of State had to modify a number of forms. Most of these modifications related to Voting by Mail and Voter Identification Procedures. Below is a listing of the modified forms.

Updated Forms

Reasonable Impediment Declaration	<u>Form (Spanish)</u>	7-13
Voter Information Poster	<u>Form (Spanish)</u>	7-7
Provisional Voters Appearing to Voter Registrar During Cure Period and Instructions	<u>Form</u>	9-7
Request for Disability Exemption (Permanent)	<u>Form</u>	13-6
Request for Temporary Exemption to Photo Identification Requirement	<u>Form</u>	13-7
Notice to Provisional Voter (ID Voters)	<u>Form Word (Spanish) Word</u>	7-15c
Notice of Required Identification	<u>Form</u>	13-1
Notice of Acceptable Identification Poster (English)	<u>8.5x14</u> <u>11x17</u> <u>24x36</u>	
Notice of Acceptable Identification Poster (Spanish)	<u>8.5x14</u> <u>11x17</u> <u>24x36</u>	
List of Voters Indicated as ID Voters	<u>Form</u>	5-8
Roster for Voters Hand-Delivering Carrier Envelope	<u>Form (Spanish)</u>	5-11a
Application for Ballot by Mail * Old stock can be used provided the instructions are modified in some way.	<u>Form (Spanish)</u>	5-15
Notice of Rejected Application for Ballot by Mail	<u>Form</u>	5-16
Request for Updated Annual Application for Ballot by Mail	<u>Form</u>	5-16b
Request to Cancel Application for Ballot by Mail	<u>Form</u>	5-17
Carrier Envelope *Old stock can be used provided that the new carrier insert (form 5-22b) is used.	<u>Form</u>	5-22

Notice to Voter Who Must Provide Identification (For Voters Voting by Mail)	<u>Form (Spanish)</u>	5-22a
Information about Returning Your Carrier Envelope (Carrier Insert)	<u>Forms</u>	5-22b
Notice of Defective FPCA	<u>Form</u>	5-33b
Carrier Envelope and Insert for FPCA Voter *Old stock for carrier envelope can be used. The NEW insert must be used.	<u>Form</u>	5-35
Constitutional Oath for Presiding Judge, Alternate Judge, and Early Voting Clerk	<u>Form</u>	7-2a
Voter Complaint Information Poster	<u>Form</u>	7-7a
Notice of Voting Order Priority	<u>Form</u>	7-7b
Notice to Provisional Voter (ID Voters)	<u>Form Word (Spanish) Word</u>	7-15c
Oath for Early Voting Ballot Board and Central Counting Station Personnel	<u>Form</u>	8-3a
Notice of Required Identification	<u>Form</u>	13-1
Request for Disability Exemption (Permanent)	<u>Form (Spanish)</u>	13-6
Sign for Joint Primary Election	<u>Form</u>	13-9
Notice of Prohibition of Handguns in the Polling Place* *Form was emailed as part of Advisory 2018-11 and is not yet posted to our website.	<u>Form</u>	9-7a

If there is any additional information not listed here that you need, or any other questions you have about the upcoming primary, as always, feel free to reach out to our Office and we will be happy to assist you. You can email us your questions at elections@sos.texas.gov or call us at 1-800-252-2216, option 2 for the legal department.

Thank you for all that you do to make our elections in Texas a great success.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, March 07, 2018 3:17 PM
Subject: Mass Email--CC/EA--Reasonable Impediment Declarations

Hello Everyone,

Thank you all for your hard work this week. This is just a reminder that we would like you to send us scanned copies of any Reasonable Impediment Declarations (RIDs) submitted by voters for the March 6, 2018 Primary election. Please send them to our office by April 5, 2018.

Scanned copies can be emailed to our office at elections@sos.texas.gov.

Let us know if you have any additional questions or concerns.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, March 09, 2018 4:11 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Mail Ballot Deadlines

Hello Everyone,

As you may recall, the legislature made some changes to mail ballot deadlines last year. There are now four deadlines for receiving and counting ballots by mail. They are:

1. Received by 7:00 p.m. on election day.
2. Received by 5:00 p.m. on the next business day after election day **with a postmark** of election day or before. **If no postmark, then it can't be counted.**
3. Received by the 5th day after election day from an overseas civilian voter **with a postmark** of election day or before. **If no postmark, then it can't be counted.**
4. Received by the 6th day after election day from a military voter using an FPCA. **No postmark necessary.** Voter can be domestic or overseas.

Remember that for a Tuesday election, the 5th day falls on Sunday and rolls over to Monday. So on Monday March 12, you will be able to receive and count overseas and military ballots, but the overseas civilian ballots will have to be postmarked by election day. The military ballots can be from anywhere and do not need a postmark.

If you have any questions, please call us.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, March 14, 2018 3:29 PM
Subject: Mass Email--CC/EA--Primary Canvass Reminders

Dear County Election Officials:

Below you will find a copy of an email we sent today to the county chairs regarding the primary canvass. Please note that these instructions are directed to the county chairs and what their role is with respect to the canvass. As a reminder, if your EVBB will not complete their duties until Thursday the 15th, you will still be able to access the system on March 15. Please coordinate with your county chair, if necessary.

If you have any additional questions, please contact us at 1-800-252-VOTE (8683).

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Dear County Chairs:

It's almost time to canvass the primary election! On Thursday, March 15, you are required to digitally certify the canvass report on the Secretary of State website (**below are step by step instructions**). Keep in mind that House Bill 1735, (85th Legislature, RS, 2017), effective September 1, 2017, made numerous changes to how primary elections are conducted. One of those changes **requires** the county election officer to prepare and submit to the Secretary of State a report of the results of the canvass of the primary election. This is the same system you will use to digitally certify the canvass results. That means the election results will already be in the system when you log into it. Be sure to coordinate with the county election officer to make sure the data has been entered by the county and to determine if there are any known errors that you will need to correct.

If your early voting ballot board will not complete the processing and counting of ballots until March 15, your county election officer will still be able to access the system on March 15 to enter in the canvass totals. Please carefully review all data that was entered and make sure that your early voting by mail ballots and provisional ballots are accounted for in those totals.

If you would like additional information about canvass and recount deadlines, please visit Advisory No. 2018-13 - Canvass and Recount Filing Deadlines for 2018 Primary Election.

COUNTY CHAIR MARCH 15 CANVASS

Step 1:

Open the following website URL using the same login and password used to access the Primary Finance System and Candidate Filing System:

<https://webservices.sos.state.tx.us/canvass2018/index.aspx>

Step 2:

- Verify and edit as necessary the values for the following fields:
 1. Total number of voters voting;
 2. Total number of provisional ballots cast;
 3. Total number of provisional ballots counted.

Step 3:

- The returns entered by the county election officer after Election Day but before March 15th will be prepopulated.
- Update results as necessary.
- All fields must have a value, even if it is 0.
- Please note that you must use the tab key or click in each field individually rather than using the enter key to move from field to field.
- Votes may be decreased or increased.
- If more votes are entered in a race than registered voters, you will not get a warning message.

Step 4:

- If changes were made in Step 3, click the "Save" button at the bottom or the top of the form; otherwise, proceed to the bullet below.
- Check the Certification Statement checkbox to display the "Certify" button (**please be patient, it may take a minute for the certification button to appear**).
- Click the "Certify" button. Once this is done, votes will no longer be editable.
- A copy may be printed by clicking "Print" in the upper right corner of the webpage.

Please let us know if you have any additional questions. You can reach our office at 1-800-252-VOTE (8683).

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Alexy Rios <elections@co.starr.tx.us>
Sent: Friday, March 16, 2018 10:07 AM
To: JUDITHSOLISLAW@MSN.COM
Subject: FW: Mass Email--CC/EA--Primary Canvass Reminders

From: Elections Internet [mailto:Elections@sos.texas.gov]
Sent: Wednesday, March 14, 2018 3:29 PM
Subject: Mass Email--CC/EA--Primary Canvass Reminders

Dear County Election Officials:

Below you will find a copy of an email we sent today to the county chairs regarding the primary canvass. Please note that these instructions are directed to the county chairs and what their role is with respect to the canvass. As a reminder, if your EVBB will not complete their duties until Thursday the 15th, you will still be able to access the system on March 15. Please coordinate with your county chair, if necessary.

If you have any additional questions, please contact us at 1-800-252-VOTE (8683).

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Dear County Chairs:

It's almost time to canvass the primary election! On Thursday, March 15, you are required to digitally certify the canvass report on the Secretary of State website (**below are step by step instructions**). Keep in mind that House Bill 1735, (85th Legislature, RS, 2017), effective September 1, 2017, made numerous changes to how primary elections are conducted. One of those changes requires the county election officer to prepare and submit to the Secretary of State a report of the results of the canvass of the primary election. This is the same system you will use to digitally certify the canvass results. That means the election results will already be in the system when you log into it. Be sure to coordinate with the county election officer to make sure the data has been entered by the county and to determine if there are any known errors that you will need to correct.

If your early voting ballot board will not complete the processing and counting of ballots until March 15, your county election officer will still be able to access the system on March 15 to enter in the canvass totals. Please carefully review

all data that was entered and make sure that your early voting by mail ballots and provisional ballots are accounted for in those totals.

If you would like additional information about canvass and recount deadlines, please visit Advisory No. 2018-13 - Canvass and Recount Filing Deadlines for 2018 Primary Election.

COUNTY CHAIR MARCH 15 CANVASS
Step 1:
Open the following website URL using the same login and password used to access the Primary Finance System and Candidate Filing System: https://webservices.sos.state.tx.us/canvass2018/index.aspx
Step 2:
<ul style="list-style-type: none">• Verify and edit as necessary the values for the following fields:<ol style="list-style-type: none">1. Total number of voters voting;2. Total number of provisional ballots cast;3. Total number of provisional ballots counted.
Step 3:
<ul style="list-style-type: none">• The returns entered by the county election officer after Election Day but before March 15th will be prepopulated.• Update results as necessary.• All fields must have a value, even if it is 0.• Please note that you must use the <u>tab</u> key or click in each field individually rather than using the enter key to move from field to field.• Votes may be decreased or increased.• If more votes are entered in a race than registered voters, you will <u>not</u> get a warning message.
Step 4:
<ul style="list-style-type: none">• If changes were made in Step 3, click the "Save" button at the bottom or the top of the form; otherwise, proceed to the bullet below.• Check the Certification Statement checkbox to display the "Certify" button (please be patient, it may take a minute for the certification button to appear).• Click the "Certify" button. Once this is done, votes will no longer be editable.• A copy may be printed by clicking "Print" in the upper right corner of the webpage.

Please let us know if you have any additional questions. You can reach our office at 1-800-252-VOTE (8683).

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Monday, April 02, 2018 5:00 PM
To: VRTeam
Subject: MASS EMAIL ADVISORY (VR/EA-661) -May 5, 2018 Voter Registration Deadline Memorandum
Attachments: Voter Registration Postmarks and Cut-Off Dates.pdf; VR Application Sample Notification - May 5, 2018.pdf

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

Date: April 2, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, **Thursday, April 5, 2018** is the last day for a voter to register to vote in the upcoming May 5, 2018 Uniform Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the envelope from the SOS with the registrations, then all of the applications were received by us after April 5, 2018 or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope

should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

A handwritten signature in black ink, appearing to read "Keith Ingram".

Date: April 2, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, **Thursday, April 5, 2018** is the last day for a voter to register to vote in the upcoming May 5, 2018 Uniform Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the

envelope from the SOS with the registrations, then all of the applications were received by us after April 5, 2018 or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us



Rolando B. Pablos
Secretary of State

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

THE ENCLOSED VOTER REGISTRATION APPLICATIONS WITHOUT POSTMARKS CAME TO OUR OFFICE IN PACKAGES WHICH WERE POSTMARKED ON OR BEFORE APRIL 5, 2018. THE VOTERS ARE ELIGIBLE FOR THE MAY 5, 2018 UNIFORM ELECTIONS. ANY QUESTIONS PLEASE CALL ANDRIA PERALES WITH THE ELECTIONS DIVISION TOLL-FREE AT 1-800-252-2216, *options 4 – hold until after the Spanish option, then select option 1, then option 5* OR EMAIL APERALES@SOS.TEXAS.GOV.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, April 03, 2018 4:17 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--FPCA deadline advisories

Dear Election Officials,

As a reminder, all military and overseas voters that have submitted their request to vote by mail **must** have their ballot placed in the mail by this **Saturday April 7, 2018** (45 days before the May 22, 2018 primary election). This deadline must be met. **Not having ballots prepared or back from the vendor is not an excuse.** If your ballots are not ready, you must prepare emergency ballots and meet the deadline with them. We are eager to assist you with the preparation of emergency ballots. Please let us know if you need any help.

To assist you in meeting his deadline, our office released the following three advisories related to voting by mail.

These three advisories are available live on our website:

[Advisory 2018-02 – Ballot by Mail Deadlines; HB 1151, HB 929 \(Regular Session\); SB 5 \(Special Session\)](#)

[Advisory 2018-03 – Instructions and Deadlines for Mailing/Emailing Ballots Under the Federal “MOVE Act” for Overseas Vote](#)

[Advisory 2018-04 – FWABs and Voters in Hostile Fire Pay and Combat Zones](#)

These advisories and other materials are posted at your [Conducting Your Elections](#) pages.

Please let us know if you have any questions or concerns.

Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, April 05, 2018 10:42 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--FPCA Ballot deadline and emergency ballot procedures advisory
Attachments: ADV2018-05 - Emergency Ballot Procedures (Primary).pdf; TX ReportingPrimElec_Blank 2018.xlsx; Instructions 2018.pdf

Hello Everyone,

I am writing to remind you that military and overseas ballots requested by a FPCA **must be sent out to voters** by your offices **no later than Saturday, April 7, 2018. This deadline must be met.** If your ballots are not prepared in time, **you will have to use emergency ballots.** I am attaching an advisory on emergency ballots for you to review. An excerpt from that advisory is copied below.

In addition, I will be asking you on Monday if you met the deadline. If you failed to get your ballots out, then I will need for you to fill out the attached spreadsheet and send it back to me by the end of the day on Monday.

Please let us know if you are having any issues. We would be glad to assist you in whatever way we can to make sure that all 254 counties mail out their FPCA ballots by Saturday.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

You have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline, you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **NO. 2018-05**

TO: County Clerks/Elections Administrators and County Chairs

FROM: Keith Ingram, Director of Elections 

DATE: January 17, 2018

RE: Emergency Ballot Procedures

Saturday, January 20, 2018 (the 45th day before the March 6, 2018 primary election) is the deadline for all ballots to be mailed to all military and overseas voters. If a federal postcard application (FPCA) is received after the 45th-day deadline, the ballot should be mailed not later than the seventh calendar day after the date the FPCA is received. **If your official ballots are not ready to be sent by January 20, 2018, you must create and send emergency ballots. Please see below for emergency balloting procedures. It is not acceptable to miss the deadline and simply wait until your official ballots are ready to mail ballots outside the United States.**

You have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline, you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

Additionally, emergency ballots may be used in the event a polling place runs out of ballots or experiences technical problems with a voting system. Under state law, once the polling place is open it must remain open. Having run out of ballots is not a ground for closing the polling place or suspending voting for a time until more ballots can be received. Therefore, we suggest that you advise election judges to monitor the number of ballots remaining throughout the day on election day and to contact you immediately if they run low. This memorandum provides the procedures on how to replenish a polling place's ballot supply. Therefore, please distribute copies of this memorandum to each of your election judges.

NOTE: County Chairs are responsible for ensuring there are enough ballots at polling places during the primary, unless the Chair contracted with their County Clerk/Elections Administrator for the distribution of ballots.

Pre-Election Day

Regardless of what type of voting system your county uses, before election day your office may want to assess your early voting ballot supply for possible use on election day. If early voting by mail or personal appearance turnout has been heavy, you may want to consider having additional ballots prepared for possible use on election day in your polling places.

Paper and Optical Scan Ballots

If you find that a precinct is about to run out of ballots, whether paper or optical scan ballots, you have two options. One option is that the election judge contacts you and you rush additional ballots to the precinct. If you do not have additional election day ballots for that precinct, your office can use the early voting ballots for that precinct. If no ballots for that precinct are available, your office can make adjustments to the ballots of the same ballot style, if necessary, in accordance with Section 52.006 of the Texas Election Code.

The second option is for you or the election judge to take one of the unvoted official ballots and make copies. Before copying the official ballot, white out or obscure the ballot number printed on the ballot. The judge must sign the backs of the copied ballots and serially number them, beginning with the next number from your ballot order. Please note that our office would prefer copies of an official ballot be used, but if you or the precinct election judge do not have any official ballots to copy when you first realize there is a shortage, copies of a sample ballot can be used instead. You should make a note on the ballot register form indicating how many emergency ballots you created and the range of numbers you used on the ballots created. If a copier is not available but you have some pieces of paper, you might be able to copy the ballot by hand. Keeping in mind the length of the ballot in the primary election, rather than copy the ballot yourself, it might be more efficient to allow voters to write their choices on a piece of paper using the sample ballot available at the polling place. In this situation, the judge would sign and number a few pieces of paper and place them face down and out of numerical sequence on the table. The judge would explain to voters that the polling place has run out of ballots and allow them to pick one of the disarranged pieces of paper, just as they would choose one of the official ballots.

DRE Voting System

If your county is using a DRE voting system and the machine malfunctions, the election judge should follow the procedures set out by your county clerk/elections administrator. You may want to provide the election judge with paper ballots at the polling place to use in emergencies or for provisional voters. If so, the election judge would simply continue using these ballots and make additional copies as needed. If the election judge is not provided with paper ballots, he or she will have to follow the procedure set out above under the paper and optical scan ballots section for signing and numbering pieces of paper and allowing voters to utilize the sample ballot to write in their choices.

We would like to take this opportunity to remind you that if people are waiting in line to vote at 7:00 p.m., they must be allowed an opportunity to present themselves for voting. If you have any questions, please contact our office toll-free at 1-800-252-2216.

KI:CA

Instructions for Completing the Summary Report Spreadsheets

Ballot Transmission Totals

The spreadsheet titled “Summary Report of UOCAVA Ballot Transmission,” is intended to capture, by transmitting jurisdiction, total numbers of (1) valid ballot requests received by the 45-day deadline, 2) ballots sent by that date, and 3) ballots not sent by that date. This spreadsheet contains five columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 100 to number the rows of data. States with more than 100 transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of transmitting jurisdictions in your State.
- **Column B. Transmitting jurisdiction.** In alphabetical order, list all jurisdictions in your State that are responsible for transmitting UOCAVA ballots. Include any jurisdictions that did not receive any ballot requests by the 45-day deadline.
- **Column C. Total Valid Ballot Requests Received by the 45-day deadline.** Provide the total number of valid UOCAVA ballot requests that the transmitting jurisdiction received by the 45-day deadline. If a jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column C.
- **Column D. Total Ballots Sent by the 45-day deadline For Valid Requests Received By That Date.** Provide the total number of ballots sent by the transmitting jurisdiction by the 45-day deadline. If a transmitting jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column D.
- **Column E. Total Ballots Not Sent by the 45-day deadline For Valid Requests Received By That Date.** If a jurisdiction received valid ballot requests by the 45-day deadline, but failed to transmit one or more of these ballots by that date, enter the total number of ballots not sent by the deadline. If you entered any numbers in column E, provide the additional data requested in the “Late Ballot Transmission Data” spreadsheet.

Late Ballot Transmission Data

Complete the spreadsheet titled “Summary Report of Late UOCAVA Ballot Transmission,” only if one or more transmitting jurisdictions failed to send by the 45-day deadline one or more ballots validly requested by the 45-day deadline. This spreadsheet requests more detailed data about the late ballot transmission in eight columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 4 to number the rows of data. States with more than four late transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of late transmitting jurisdictions in your State.
- **Column B. Late Transmitting Jurisdiction/Date of Late Transmission.** Identify the jurisdiction in the first numbered row and use succeeding rows to specify all dates after the 45-day deadline that ballots were transmitted. If the jurisdiction sent ballots on multiple dates after the 45-day

Instructions for Completing the Summary Report Spreadsheets

deadline, provide the information in the succeeding columns by corresponding late transmission date, with each date in a separate row.

- **Column C. Domestic military.** Provide the data requested for military voters (and their spouses and dependents) within the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column D. Overseas Military.** Provide the data requested for military voters (and their spouses and dependents) outside the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column E. Overseas Civilian.** Provide the data requested for overseas civilians. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column F.** Describe the reason(s) why the late transmitting jurisdiction sent validly requested UOCAVA ballots after the 45-day deadline.
- **Column G.** Confirm that the method used to transmit the late ballots was by the voter's preferred method.
- **Column. H.** Indicate whether the state or the late transmitting jurisdiction has phone, fax or email contact information for the affected UOCAVA voters.
- **Column I. Other comments.** Provide any other information describing the late transmission or actions taken by the State or transmitting jurisdiction to address the late ballot transmission.

NOTE: If you are missing some of the data requested in the "Summary Report of Late UOCAVA Ballot Transmission Data" spreadsheet by the Monday after the 45-day deadline, we ask that you provide the information you have on that Monday and then submit a revised summary report(s) with the data requested in this spreadsheet as soon as possible, and as information becomes available.

State of Texas

Summary Report of UOCAVA Ballot Transmission

Date of Report: [Insert here]

2018 Federal Primary Election

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
40				
41				
42				
43				
44				
45				
46				
47				
48				
49				
50				
51				
52				
53				
54				
55				
56				
57				
58				
59				
60				
61				
62				
63				
64				
65				
66				
67				
68				
69				
70				
71				
72				
73				
74				
75				
76				
77				
78				
79				
80				
81				
82				
83				
84				
85				
86				
87				
88				
89				
90				
91				

List Number	Transmitting Jurisdiction	Total Valid Ballot Requests Received By 01/20/18	Total Ballots Sent By 01/20/18 For Valid Requests Received By That Date	Total Ballots Not Sent By 01/20/18 For Valid Requests Received By That Date (If any, please also enter details in "Late Ballot Transmission Data" TAB)
92				
93				
94				
95				
96				
97				
98				
99				
100				

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, April 10, 2018 9:26 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--FPCA deadline reporting.
Attachments: TX ReportingPrimElec_Blank 2018.xlsx; Instructions 2018.pdf

Hello Everyone,

I am writing to determine whether any counties failed to meet the deadline for mailing FPCA ballots for the primary runoff by Saturday April 7, 2018.

If you did not send your FPCA primary runoff ballots by Saturday please fill out the information in the attached spreadsheet. The most important piece of information necessary is your plan and timing for getting the ballots out the door.

I need to hear from you by the end of the day today.

Let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Instructions for Completing the Summary Report Spreadsheets

Ballot Transmission Totals

The spreadsheet titled “Summary Report of UOCAVA Ballot Transmission,” is intended to capture, by transmitting jurisdiction, total numbers of (1) valid ballot requests received by the 45-day deadline, 2) ballots sent by that date, and 3) ballots not sent by that date. This spreadsheet contains five columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 100 to number the rows of data. States with more than 100 transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of transmitting jurisdictions in your State.
- **Column B. Transmitting jurisdiction.** In alphabetical order, list all jurisdictions in your State that are responsible for transmitting UOCAVA ballots. Include any jurisdictions that did not receive any ballot requests by the 45-day deadline.
- **Column C. Total Valid Ballot Requests Received by the 45-day deadline.** Provide the total number of valid UOCAVA ballot requests that the transmitting jurisdiction received by the 45-day deadline. If a jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column C.
- **Column D. Total Ballots Sent by the 45-day deadline For Valid Requests Received By That Date.** Provide the total number of ballots sent by the transmitting jurisdiction by the 45-day deadline. If a transmitting jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column D.
- **Column E. Total Ballots Not Sent by the 45-day deadline For Valid Requests Received By That Date.** If a jurisdiction received valid ballot requests by the 45-day deadline, but failed to transmit one or more of these ballots by that date, enter the total number of ballots not sent by the deadline. If you entered any numbers in column E, provide the additional data requested in the “Late Ballot Transmission Data” spreadsheet.

Late Ballot Transmission Data

Complete the spreadsheet titled “Summary Report of Late UOCAVA Ballot Transmission,” only if one or more transmitting jurisdictions failed to send by the 45-day deadline one or more ballots validly requested by the 45-day deadline. This spreadsheet requests more detailed data about the late ballot transmission in eight columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 4 to number the rows of data. States with more than four late transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of late transmitting jurisdictions in your State.
- **Column B. Late Transmitting Jurisdiction/Date of Late Transmission.** Identify the jurisdiction in the first numbered row and use succeeding rows to specify all dates after the 45-day deadline that ballots were transmitted. If the jurisdiction sent ballots on multiple dates after the 45-day

Instructions for Completing the Summary Report Spreadsheets

deadline, provide the information in the succeeding columns by corresponding late transmission date, with each date in a separate row.

- **Column C. Domestic military.** Provide the data requested for military voters (and their spouses and dependents) within the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column D. Overseas Military.** Provide the data requested for military voters (and their spouses and dependents) outside the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column E. Overseas Civilian.** Provide the data requested for overseas civilians. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column F.** Describe the reason(s) why the late transmitting jurisdiction sent validly requested UOCAVA ballots after the 45-day deadline.
- **Column G.** Confirm that the method used to transmit the late ballots was by the voter's preferred method.
- **Column. H.** Indicate whether the state or the late transmitting jurisdiction has phone, fax or email contact information for the affected UOCAVA voters.
- **Column I. Other comments.** Provide any other information describing the late transmission or actions taken by the State or transmitting jurisdiction to address the late ballot transmission.

NOTE: If you are missing some of the data requested in the "Summary Report of Late UOCAVA Ballot Transmission Data" spreadsheet by the Monday after the 45-day deadline, we ask that you provide the information you have on that Monday and then submit a revised summary report(s) with the data requested in this spreadsheet as soon as possible, and as information becomes available.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, April 16, 2018 2:23 PM
To: SpecialProjects
Subject: MASS EMAIL ADVISORY (CEO-909) - 36th ANNUAL ELECTION LAW SEMINAR FOR COUNTY ELECTION OFFICIALS
Attachments: 2018 ceo preliminary agenda.pdf
Importance: High



Texas Secretary of State's 36th Annual Election Law Seminar for County Election Officials

Renaissance Austin Hotel
July 30 – August 1, 2018

We are excited to announce that **Seminar Registration will open** for our upcoming Election Law Seminar on **Wednesday, April 18, 2018**. We hope that you will join us from July 30 through August 1, 2018 at the Renaissance Austin Hotel.

A link to the seminar and registration information will post to our [Seminar Webpage](#) on Wednesday, April 18.

Hotel reservations will open at 9:00 a.m. Wednesday, April 18, 2018.

Attendees will be able to make hotel reservations with the host hotel by calling the [Renaissance Austin Hotel](#) at 1.800.468.3571 or 512.343.2626. Hotel reservations may also be made with the [Double Tree NW Arboretum](#) at 512.343.0888 option 1, [Hyatt House - Arboretum](#) at 866.974.9288, or the [Hyatt Place – Arboretum](#) 888.492.8845.

Here is a brief overview of the schedule:

Sunday, July 29	Early Registration	3:00 pm – 7:00 pm
Monday, July 30	Registration	7:00 am – 5:00 pm
	Seminar Topics	8:00 am – 5:00 pm
Tuesday, July 31	Registration	7:00 am – 5:00 pm
	Seminar Topics	8:15 am – 5:00 pm
Wednesday, Aug 1	Registration	7:00 am – 5:00 pm
	Seminar Topics	8:00 am – 4:45 pm

The preliminary agenda is also attached for your convenience. Topics and times are subject to change.

If you have any questions, please don't hesitate to contact our office at 1.800.252.8683 or send an email to SpecialProjects@sos.texas.gov.

Andria Perales

Office of the Texas Secretary of State
Elections Administration and Special Projects

For Voter Related Information, please visit:



URL: www.sos.state.tx.us/elections

Twitter - <https://twitter.com/#!/votetexas>

Facebook - <http://www.facebook.com/votetexas>

DAY ONE**Monday, July 30, 2018****ALL SESSIONS WILL BE HELD IN THE MAIN BALLROOM****7:00 a.m. – 8:00 a.m. BREAKFAST WILL BE AVAILABLE IN THE BALLROOM FOYER****8:00 a.m. – 8:30 a.m. PREPARING FOR THE NOVEMBER 2018 ELECTION***SPEAKER: Christina Worrell Adkins***8:30 a.m. – 9:45 a.m. PREPARING FOR AND CONDUCTING VOTING BY MAIL (ABBM/FPCA)***SPEAKERS: CAROLINE WEBSTER GEPPERT AND ALLISON FICK***9:45 a.m. – 10:30 a.m. DUTIES OF COUNTY ELECTION OFFICER***SPEAKERS: TIM JURO***10:30 a.m. – 11:00 a.m. SCHOOLS AS POLLING PLACES***SPEAKER: KRISTI CLARK, TEXAS ASSOCIATION OF SCHOOL BOARDS**MODERATOR CAROLINE GEPPERT***11:00 a.m. – 11:30 a.m. GUEST SPEAKER (TBD)***GUEST SPEAKER: TBD**MODERATOR: KEITH INGRAM***11:30 a.m. – 12:45 p.m. LUNCH ON YOUR OWN****12:45 p.m. – 1:15 p.m. EARLY VOTING BALLOT BOARD – QUALIFYING BY MAIL BALLOTS***SPEAKER: MELANIE BEST***1:15 p.m. – 2:30 p.m. DUTIES OF ELECTION JUDGE***SPEAKER: TIM JURO***2:30 p.m. – 3:00 p.m. BREAK**
Light refreshments will be available.
*Exhibitors will be set-up all day. Please stop by and view their products.***3:00 p.m. – 3:30 p.m. POLLING PLACE ACCESSIBILITY***GUEST SPEAKER: MOLLY BROADWAY, DISABILITY RIGHTS TEXAS**MODERATOR: HEIDI MARTINEZ***3:30 p.m. - 3:45 p.m. OBTAINING A NEW VOTING SYSTEM***SPEAKER: KRYSTINE RAMON***3:45 pm – 4:15 p.m. COUNTY ISSUES RELATED TO CANDIDACY, VACANCIES, AND ELECTION CANCELLATION***SPEAKER: CAROLINE WEBSTER GEPPERT***4:15 p.m. – 5:00 p.m. LOGIC AND ACCURACY TESTING BEST PRACTICES***SPEAKERS: TBD**MODERATOR: CHRISTINA WORRELL ADKINS*

DAY TWO**Tuesday, July 31, 2018****ALL SESSIONS WILL BE HELD IN THE MAIN BALLROOM**

7:00 a.m. – 8:00 a.m.	BREAKFAST WILL BE AVAILABLE IN THE BALLROOM FOYER	
7:30 a.m. – 8:15 a.m.	MEET & GREET WITH SECRETARY PABLOS	
8:15 a.m. – 8:30 a.m.	WELCOME & OPENING REMARKS	BALLROOM FOYER
8:30 a.m. – 8:45 a.m.	UPDATES AND REMARKS	THE HONORABLE ROLANDO B. PABLOS
8:45 a.m. – 9:15 a.m.	HAVA UPDATE	SPEAKERS: KEITH INGRAM AND CHRISTINA W. ADKINS
9:15 a.m. – 9:45 a.m.	GUEST SPEAKER (TBD)	Speaker: Dan Glotzer
9:45 a.m. – 10:30 a.m.	PRECINCTS AND POLLING PLACES	Speaker: TBD Moderator: TBD
10:30 a.m. – 11:00 a.m.	CANCELLATION OF APPLICATIONS FOR A BALLOT BY MAIL (ABBMS)	Speaker: Melanie Best and Heidi Martinez
11:00 a.m. – 11:30 a.m.	WITNESSES, ASSISTANTS, AND AGENTS	Speaker: Heidi Martinez
11:30 a.m. – 11:45 a.m.	OFFICE OF THE ATTORNEY GENERAL – ELECTION FRAUD DIVISION	Speaker: Caroline Webster Geppert
11:30 a.m. – 12:45 a.m.	LUNCH WILL BE SERVED IN THE RIO GRANDE BALLROOM, PLAZA LEVEL	Speaker: TBD Moderator: TBD
12:45 a.m. – 1:45 p.m.	WORKING TOGETHER (ELECTIONS/VOTER REGISTRATION)	
1:45 p.m. – 2:00 p.m.	GUEST SPEAKER (TBD)	SPEAKER: BETSY SCHONHOFF AND CHRISTINA WORRELL ADKINS
2:00 p.m. – 2:45 p.m.	ELECTION SECURITY BEST PRACTICES	SPEAKER: CHRISTINA WORRELL ADKINS AND MARLIN CRAIG
2:45p.m. – 3:15 p.m.	BREAK Light refreshments will be available. Exhibitors will be set-up all day. Please stop by and view their products.	
3:15 p.m. – 4:00 p.m.	EMERGENCY & DISASTER CONTINGENCY PLANNING	
4:00 p.m. – 4:30 p.m.	EVENTS AFTER THE ELECTION	SPEAKER: ALLISON FICK
4:30 p.m. – 5:00 p.m.	QUESTION AND ANSWER SESSION	SPEAKER: KRYSTINE RAMON

DAY THREE**Wednesday, August 1, 2018****ALL SESSIONS WILL BE HELD IN THE MAIN BALLROOM**

7:00 a.m. – 8:00 a.m.	BREAKFAST WILL BE AVAILABLE IN THE BALLROOM FOYER	
8:00 a.m. – 8:30 a.m.	VOTER REGISTRATION UPDATES	
8:30 a.m. – 9:00 a.m.	VR LIST MAINTENANCE – ELIGIBILITY AND RESIDENCY	SPEAKER: BETSY SCHONHOFF
9:00 a.m. – 9:30 a.m.	UPDATES FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY	SPEAKER: BEVA KELLISON
	SPEAKERS: SHERI GIPSON, LINDA BOLINE, CINDY FOWLER, JANIE SAWATSKY AND MIMZIE HERKLOTZ-DENNIS, TEXAS DEPARTMENT OF PUBLIC SAFETY	
		MODERATOR: BETSY SCHONHOFF
9:30 a.m. – 10:00 a.m.	UPDATES FROM THE UNITED STATES POSTAL SERVICE	
		SPEAKER: JEANETTE BECKER, UNITED STATES POSTAL SERVICE
		MODERATOR: BETSY SCHONHOFF
10:00 a.m. – 10:30 a.m.	CONFIDENTIALITY OVERVIEW	
10:30 a.m. – 11:00 a.m.	SB 42 CONFIDENTIALITY UPDATE	SPEAKER: BETSY SCHONHOFF
	SPEAKERS: SCOTT GRIFFITH, NITU GILL, AND HECTOR GOMEZ, OFFICE OF COURT ADMINISTRATION	
		MODERATOR: BETSY SCHONHOFF
11:00 a.m. – 11:30 a.m.	QUESTION AND ANSWERS	
		SPEAKERS: BETSY SCHONHOFF AND OFFICE OF COURT ADMINISTRATION
11:30 a.m. – 12:45 p.m.	LUNCH ON YOUR OWN	
12:45 p.m. – 1:15 pm	CHAPTER 19	
1:15 p.m. – 1:45 p.m.	RECORDS RETENTION IN A DIGITAL AGE	SPEAKER: AMANDA GROSSMAN
		SPEAKER: BONNIE ZUBER, TEXAS STATE LIBRARY AND ARCHIVES COMMISSION
		MODERATOR: BETSY SCHONHOFF
1:45 a.m. – 2:15 p.m.	UNDERSTANDING THE OFFICIAL LIST OF REGISTERED VOTERS	
2:15 p.m. – 2:45 p.m.	ELECTION DEADLINES TO KNOW	SPEAKER: BRENDA HESTER
2:45 p.m. – 3:15 p.m.	BREAK Light refreshments will be available. Exhibitors will be set-up all day. Please stop by and view their products.	SPEAKER: EMILY JONES
3:15 p.m. – 3:45 p.m.	SUSPENSE CANCELLATION	
3:45 p.m. – 4:15 p.m.	DPS WEB PORTAL	SPEAKER: GLORIA MARTINEZ
4:15 p.m. – 4:45 p.m.	VOLUNTEER DEPUTY REGISTRARS	SPEAKER: LILLIAN EDER
		SPEAKER: KRYSTINE RAMON

Alexy Rios

From: Moody, Chris <cdmoody@essvote.com>
Sent: Friday, April 20, 2018 9:20 AM
To: elections@co.starr.tx.us
Cc: Moody, John
Subject: FW: MASS EMAIL--CC/EA/CSO(4132)--Advisory 2017-17 - Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators
Attachments: ADV2017-17 -- Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators.pdf

John, see attached advisory from the state from last October regarding the Audit Log printer.

From: Christina Adkins [<mailto:CAAdkins@sos.texas.gov>]
Sent: Friday, October 20, 2017 2:46 PM
To: Lichtenheld, Peter (PLichtenheld@hartic.com); Moody, Chris; 'steve.moreland@dominionvoting.com'
Cc: (pcardenas@hartic.com); Pearson, Steve; Thernes, Brooke; Jessica Bowers; 'ian.piper@dominionvoting.com'
Subject: FW: MASS EMAIL--CC/EA/CSO(4132)--Advisory 2017-17 - Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators

FYI—This went out today and will be posted on our website by tomorrow. Let me know if you have any questions or concerns.

From: Elections Internet
Sent: Friday, October 20, 2017 2:43 PM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL--CC/EA/CSO(4132)--Advisory 2017-17 - Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators

Hello Everybody,

Please find attached Advisory 2017-17 - Updates to Voting System Procedures Precinct Ballot Counters and Central Accumulators. This advisory discusses and provides guidance on implementing new voting system procedures and policies put in place as a result of recent legislation and amendments to the Texas Administrative Code.

Please feel free to contact us with any questions you may have.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us



Rolando B. Pablos
Secretary of State

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

ELECTION ADVISORY **NO. 2017-17**

TO: County Election Officers and City, School and Other Political Subdivision Officials

FROM: Keith Ingram, Director of Elections

DATE: October 20, 2017

RE: Updates to Voting System Procedures – Precinct Ballot Counters and Central Accumulators

As a result of recent legislation and amendments to the Texas Administrative Code, there several new voting system procedures and policies. This advisory will discuss each of those changes and provide guidance on implementing those changes.

The changes discussed include:

1. Revisions to Texas Administrative Code
 - a. Rule 81.52
 - b. Rule 81.62
2. New Procedures for the use of Precinct Ballot Counters.
 - a. Testing Requirements
 - b. Establishing a Central Counting Station
3. Early Voting by Personal Appearance – Precinct Ballot Counter Procedures
 - a. Counting by Early Voting Ballot Board
 - b. Counting by Central Counting Station
4. Early Voting by Mail Ballots –Precinct Ballot Counter Procedures
5. Election Day Ballots – Precinct Ballot Counter Procedures
 - a. Precinct Returns Completed at Polling Place
 - b. Precinct Returns Completed at Central Counting Station
6. Ballot Box Capacity Emergencies

1. Revisions to Texas Administrative Code

On June 28, 2017, the Office of the Secretary of State received a petition requesting changes to certain Texas Administrative Code rules related to the requirement that a continuous feed (dot matrix) printer must be attached to all precinct ballot counters during early voting (1 T.A.C. § 81.52) and attached to all central accumulators (1 T.A.C. §81.62). The proposed rules also created a procedure by which a poll watcher can request printed copies of the audit logs contained in the Election Management System's central accumulator on election night while the central counting station is convened and tabulating election results.

1 T.A.C. § 81.52 – Precinct Ballot Counters

Previously, under 1 T.A.C. § 81.52(h), if a precinct ballot counter was to be used during early voting by personal appearance, a continuous feed audit log printer was required to remain attached to the precinct ballot counter throughout the early voting period. As of September 28, 2017, the requirement for this continuous feed audit log printer was repealed from the Texas Administrative Code. Therefore, precinct ballot counters can now be used for early voting by personal appearance provided that certain procedures are followed.

All precinct ballot counters certified for use in Texas election maintain internal audit logs. This is a requirement under both the state and federal certification process and will remain in place. Precinct ballot counters used during early voting must be secured to prevent tampering in accordance with procedures provided in 1 T.A.C § 81.52 and procedures outlined in this advisory.

1 T.A.C. § 81.62 – Audit Logs for an Election Management System's Central Accumulator

Under 1 T.A.C. § 81.62, a central accumulator is defined as the part of an Election Management System that tabulates and/or consolidates the vote totals for multiple precincts/devices. Currently, all central accumulators are required to have a continuous feed audit log printer. As a result of the petition-initiated rule change, this requirement for the continuous feed audit log printer will be repealed effective November 7, 2017.

All central accumulators certified for use in Texas election maintain internal audit logs. This is a requirement under both the state and federal certification process and will remain in place. Any audit log produced by a central accumulator is an election record and must be retained for the proper preservation period.

In addition to eliminating the requirement for the continuous feed printer, the changes to 1 T.A.C. § 81.62 require a full audit log to be printed after the tabulation of results is completed on election night, and provide a procedure for poll watchers to gain access to these audit logs during the tabulation process.

1 T.A.C. § 81.62(g) provides that a poll watcher may request a printed copy of an audit log produced by a central accumulator:

1. Before any votes are tabulated,

2. After early voting results are tabulated, and
3. Immediately following the completion of the vote tabulation.

Once a request for a report has been made, the central counting station manager or tabulation supervisor is required to print a copy of the audit log at the required time and make a copy of it available to any and all poll watchers that have requested a copy of the audit log. You do not need to print an official audit log separately for multiple requestors. Once a copy is printed, it can be copied and provided to the different requestors. Additionally, if you anticipate receiving these requests, we would suggest you provide for the printing of these audit logs in your central counting station plan.

2. New Procedures for the use of Precinct Ballot Counters

The changes to Sections 81.52 and 81.62 of the Texas Administrative Code have the immediate effect of allowing precinct ballot counters to be used in additional ways to efficiently and accurately count ballots. As a result of the changes, precinct ballot counters can now also be used as central accumulators, allowing for their use by the early voting ballot board or at a central counting station. The Secretary of State has provided the following procedures to ensure the proper use of precinct ballot counters when used for counting early voting in person ballots, election day ballots, and by mail ballots:

a. Testing Requirements

Acceptance Testing

Acceptance testing must be done on the precinct ballot counters when they are first delivered by the vendors. The acceptance testing includes verification that the system delivered is certified by the Secretary of State, a hardware diagnostic test, and a logic and accuracy (L&A) test simulating a mock election. See Election Advisory No. 2014-06.

Pre-Election Testing

Like central counting station tabulators, precinct ballot counters must be tested in accordance with Subchapter D of Chapter 127 of the Texas Election Code, to the extent those procedures can be made applicable to the devices. This means you have to conduct the first required test of the tabulation equipment. The Secretary of State has determined that it is not feasible to conduct a second and third tabulation test in the case of precinct ballot counters. (Section 127.152 of the Texas Election Code; Election Advisory No. 2014-06). In addition to the requirements for the testing of the tabulation equipment, precinct ballot counters must also be included in pre-election testing including the L&A test and the hardware diagnostic test.

Post-Election Testing

After each election, precinct ballot counters are subject to a post-election audit, known as the partial manual count. The directions for a partial manual count may be found in Section 127.201 of the Texas Election Code and in subsequent communications from the SOS related to each election.

b. Establishing a Central Counting Station

When an entity decides to use a precinct ballot counter for the counting of their early voting or election day ballots, they must decide whether they will have a traditional polling place set up or establish a central counting station.

In a **traditional polling place** set-up, precinct returns are generated at each precinct polling place and early voting in person ballots and early voting by mail ballots are counted by the early voting ballot board. The returns are then delivered to the General Custodian of election records and the unofficial tabulation of election results is generated in accordance with Section 66.056 of the Texas Election Code.

In a **central counting station** set-up, the authority ordering the election must create a central counting station and appoint a central counting station manager, tabulation supervisor, and presiding judge. The central counting station counts all early voting by mail ballots. The precinct records, voted ballots, and electronic media from the precinct ballot counters used for early voting in person and election day would be delivered to the central counting station where the electronic media would be read in a central accumulator. The central counting station would be responsible for creating both precinct returns and the unofficial tabulation of election results in accordance with Section 66.056 of the Texas Election Code.

Even if your entity has decided to use a **traditional polling place** set-up, you are still required to establish a central counting station and appoint the required personnel, in case there are discrepancies of four or more in your ballot totals under Section 127.156 of the Election Code or two or more irregularly marked ballots under Section 127.157 of the Texas Election Code. This central counting station is not required to convene unless it is necessary under Section 127.156 and Section 127.157 of the Election Code. They are on “stand by” in case one of those scenarios requires your ballots be counted at the central counting station. If you do not have individuals you can appoint to these positions, the SOS recommends that you appoint your early voting ballot board presiding judge and clerks as central counting station personnel as these individuals will have experience and knowledge of counting procedures.

3. Early Voting by Personal Appearance - Precinct Ballot Counter Procedures

1 T.A.C. § 81.52, certain provisions of the Texas Election Code and this advisory provide procedures on how to use precinct ballot counters for early voting in person.

1. General Requirements

- a. Precinct ballot counters used during early voting may not be used for voting on election day. You are prohibited under Texas law from counting your ballots (printing results tapes) until the polls open on election day or the when the ballot have been delivered to the early voting ballot board or central counting station for counting, whichever is applicable to your election (Sec. 87.0241, Texas Election Code).
- b. In accordance with Section 85.032 of the Texas Election Code, the ballot box connected to a precinct ballot counter that is used during early voting by personal appearance must have two locks, each with a different key, and must be designed

and constructed so that the box can be sealed to detect an unauthorized opening of the box.

- c. The precinct ballot counter must have the capability of being sealed to prevent any unauthorized deposit of ballots in the box.

2. At the Early Voting Location

- a. The early voting clerk or deputy early voting clerk at each early voting location shall inspect the precinct ballot counter to ensure that all locks and seals are properly affixed to the precinct ballot counter.
- b. Immediately prior to the opening of the polls on the first day of early voting by personal appearance, a zero tape shall be run. If the tape properly reads "0" for all candidates and propositions, voting may begin. (1 T.A.C. § 81.52)
- c. At the close of each day's voting, the presiding judge shall print a report showing the total number of ballots cast on the precinct ballot counter through that day (the "daily ballot count report").

i. Alternate Procedure for ES&S M100:

- 1. If the precinct ballot counter is not capable of printing reports that show the total number of ballots cast on the device during the early voting period, the early voting officials at each early voting location shall complete a daily ballot count report by reviewing the public counter on each precinct ballot counter at the beginning of each day of voting and at the end of each day of voting and noting the public count from each reading on the form.
- 2. This report will indicate how many ballots were cast on the precinct ballot counter at the start of early voting and at the close of voting each day during the early voting period.
- 3. This report must be signed by at least two early voting officials every time an entry is made on the form. If poll watchers are present, they must be permitted to sign the form.
- d. The precinct ballot counter's doors must be locked and sealed with a numbered paper seal. The precinct ballot counter must be unplugged and secured for the evening. (1 T.A.C. § 81.52)

NOTE: A numbered paper seal is the minimum requirement for securing the precinct ballot counter's door. Some precinct ballot counters will provide slots for more sophisticated tamper-evident or tamper-resistant seals. If a stronger, more secure numbered seal can be used, this will meet the security requirements outlined in the rule.

- e. Prior to voting on each day of the period, the precinct ballot counter must be plugged back in and a tape (report) run to indicate that the counter has not been disturbed since the previous day's voting and that voting may continue. (1 T.A.C. § 81.52)

- f. At the conclusion of early voting by personal appearance, the precinct ballot counter shall be locked, sealed, and secured by the Early Voting Clerk until Election Day (1 T.A.C. § 81.52).
- g. The precinct ballot counter, electronic media, voted ballots, and election records shall be secured and transferred to the General Custodian of Election records (if different from the Early Voting Clerk) until election day or the time for counting ballots under Section 87.0241 of the Texas Election Code.

a. Counting by Early Voting Ballot Board

- 1. For each meeting of the early voting ballot board meeting that involves the breaking of seals and running of totals, the early voting clerk shall place a notice in the same place and same manner as any other required notices posted in accordance with Section 87.023 of the Texas Election Code. (1 T.A.C. § 81.52)
- 2. At the proper time designated for tabulation, the presiding judge of the early voting ballot board must inspect the precinct ballot counter to determine whether the seals are intact and that they match the serial numbers listed on the ballot and seal certificate. (1 T.A.C. § 81.52)
- 3. The audit log must also be inspected by the presiding judge of the early voting ballot board to determine that there has been no unauthorized access to the precinct ballot counter. (1 T.A.C. § 81.52)

a. Alternate Procedure for Hart Verity Scan and HVS eScan, and ES&S M100:

- i. If the device is not capable of printing an audit log without breaking the seals, the presiding judge shall compare the daily ballot count reports to determine whether or not there has been any unauthorized access to the precinct ballot counter.
- 4. If the seal is not intact, the early voting results may not be used and the early voting ballots must be re-counted either manually or with a different tabulation device, if available. (1 T.A.C. § 81.52)
- 5. If the audit log (or daily ballot count reports, if applicable) indicate unauthorized activity, the early voting results may not be used and the early voting ballots must be re-counted using the standard election day procedures. (1 T.A.C. § 81.52)
- 6. If the seal is intact and the log (or daily ballot count reports, if applicable) appear(s) in order, the seal should be broken and the ballots removed to a separate container. The electronic media should be removed and transferred to the accumulator, if applicable. (1 T.A.C. § 81.52)
- 7. The polls are closed on the counter and a "totals" printout is printed. The judge shall print out three copies of the results tape or results report, whichever is applicable, unless instructed to print more by the general custodian of election records. (1 T.A.C. § 81.52)
- 8. The presiding judge of the early voting ballot board shall prepare early voting precinct returns using the printed results tapes or reports, and any tally sheets used for the manual counting of write-in votes, if applicable.

9. The early voting results, electronic media, voted ballots, and any other associated records shall be transferred to the general custodian of election records.
10. If a full audit log was not previously printed, a full audit log from the device must be printed and maintained with the precinct election records.
11. The audit log shall be preserved for six months after election day, or 22 months following election day in an election involving a federal office, for elections taking place prior to December 1, 2017. For elections taking place on or after December 1, 2017, the audit log shall be preserved for 22 months following election day for all elections (*See* 65.058, Texas Election Code; 66.058(a), Texas Election Code (as amended by SB 5 (85th 1st Special Session))
12. Any deviation from this procedure must be approved in writing by the Secretary of State. (1 T.A.C. § 81.52)

b. Counting by Central Counting Station

1. The early voting clerk shall place a notice of the hour and location of the convening of the central counting station, in the same manner as any other required notices posted in accordance with the Texas Election Code.
2. At the proper time designated for tabulation, the presiding judge of the central counting station must inspect the precinct ballot counter to determine whether the seals are intact and that they match the serial numbers listed on the ballot and seal certificate. (1 T.A.C. § 81.52)
3. The audit log must also be inspected by the presiding judge of the central counting station to determine that there has been no unauthorized access to the precinct ballot counter. (1 T.A.C. § 81.52)
 - a. Alternate Procedure for Hart Verity Scan and HVS eScan and ES&S M100:
 - i. If the device is not capable of printing an audit log without breaking the seals, the presiding judge shall compare the daily ballot count reports to determine whether or not there has been any unauthorized access to the precinct ballot counter.
4. If the seal is not intact, the early voting results may not be used and the early voting ballots must be re-counted either manually or with a different tabulation device, if available. (1 T.A.C. § 81.52)
5. If the audit log (or daily ballot count reports, if applicable) indicates unauthorized activity, the early voting results may not be used and the early voting ballots must be re-counted using the standard election day procedure. (1 T.A.C. § 81.52)
6. If the seal is intact and the audit log (or daily ballot count reports, if applicable) appears in order, the seal should be broken and the ballots removed to a separate container. The electronic media should be removed and transferred to the accumulator. (1 T.A.C. § 81.52)
7. The polls are closed on the counter, and a "totals" printout is printed. The judge shall print out three copies of the results tape or results report, whichever is applicable, unless instructed to print more by the general custodian of election records. (1 T.A.C. § 81.52)

8. The number of ballots recorded on the ballot and seal certificate shall be compared to the number of ballots listed on the results tape or results report, whichever is applicable. If a discrepancy of four or more exists, the official tabulation of the ballots shall be conducted at a central counting station in accordance with § 127.156 of the Texas Election Code.
9. The counted ballots shall be removed from the precinct ballot counter and examined for irregularly marked ballots for processing in accordance with §127.157(b) - (e) of the Texas Election Code. If there are two or more irregularly marked ballots that must be reconciled, the official tabulation of the ballots shall be conducted at a central counting station in accordance with § 127.157(c).
10. If there is no discrepancy of four or more in ballot totals and not more than two or more irregularly marked ballots that must be reconciled, the electronic media contained in the precinct ballot counter shall be given to the presiding judge for accumulation of early voting results. The printed results shall be maintained with the election records for that election.
11. If a full audit log was not previously printed, a full audit log from the device must be printed and maintained with the precinct election records.
12. The audit log shall be preserved for six months after election day, or 22 months following election day in an election involving a federal office, for elections taking place prior to December 1, 2017. For elections taking place on or after December 1, 2017, the audit log shall be preserved for 22 months following election day for all elections (*See* 65.058, Texas Election Code; 66.058(a), Texas Election Code (as amended by SB 5 (85th 1st Special Session))
13. Any deviation from this procedure must be approved in writing by the Secretary of State. (1 T.A.C. § 81.52)

4. Early Voting by Mail Ballots – Counting on a Precinct Ballot Counter

Early voting by mail ballots may be counted on a precinct ballot counter. If you have a separate precinct ballot counter used exclusively for by mail ballots, you will need to follow the same steps you would follow for the counting of ballots as you would if you were using a central scanner as the precinct ballot counter. If you would like to use the same precinct ballot counter that was used to count your early voting in person ballots, the procedures below must be followed.

1. If a precinct ballot counter was used during early voting by personal appearance, the **same** precinct ballot counter can be used to count early voting ballots by mail. The following requirements must be met:
 - a. All appropriate documentation including rosters and voting history must be maintained separately for early voting ballots cast by mail and early voting ballots cast in person.
 - b. The presiding judge of the central counting station or presiding judge of the early voting ballot board, (if the central counting station is not convened), whichever is applicable, shall print a report that shows no unauthorized ballots were cast on the

precinct ballot counter after the close of early voting by personal appearance. The report shall show that the total number of ballots from early voting in person is equal to the number of ballots cast on the machine.

- c. The presiding judge of the central counting station or presiding judge of the early voting ballot board, whichever is applicable, shall remove from the precinct ballot counter the voted ballots from early voting in person and place them in a secure container.
 - d. The presiding judge of the central counting station or presiding judge of the early voting ballot board, whichever is applicable, shall scan the early voting by mail ballots that were accepted for counting.
 - e. Upon completion of the scanning, the early voting by mail ballots shall be removed from the precinct ballot counter, and shall be placed in a secure container.
 - f. The early voting in person ballots and the early voting by mail ballots may be stored in the same container, but must be maintained separately within that container.
2. The presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall record the total number of early voting by mail ballots that were run through the precinct ballot scanner on the ballot and seal certificate.
 3. The presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall print two copies of the results tape or results report, whichever is applicable, unless instructed to print more by the general custodian of election records.
 4. The presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall verify that the total number of ballots scanned on the precinct ballot counter is equal to the sum of the total number of ballots scanned from early voting by personal appearance at that location and the total number of early voting by mail ballots scanned on the precinct ballot counter.
 5. Upon completion of the verification of ballot numbers, the presiding judge of the central counting station or the presiding judge of the early voting ballot board, whichever is applicable, shall follow the same steps required for counting ballots by the early voting ballot board or central counting station as applicable.
 6. Any deviation from this procedure must be approved in writing by the Secretary of State.

5. Election Day Ballots - Precinct Ballot Counter Procedures

In addition to the procedures outlined in Section 81.52 of the Texas Administrative Code, these are the procedures that should be followed on election day when using a precinct ballot counter in a polling place.

1. Immediately prior to the opening of the polls, the election judge shall inspect the precinct ballot counter to ensure that all locks and seals are properly affixed to the precinct ballot counter.
2. The election judge shall verify and document the serial numbers of the equipment in use at that polling place.
3. The election judge shall run a report that shows that zero ballots have been cast on the precinct ballot counter. If the tape properly reads “0” for all candidates and propositions, voting shall begin.
4. After the polls close or the last voter has voted, whichever is later, the election judge must secure the precinct ballot counter so that no additional ballots can be deposited in to the precinct ballot counter.
5. The election judge must close or suspend the polls, whichever is applicable to that system, on the precinct ballot counter and print three copies of the results tape or results report, whichever is applicable.
6. The election judge shall compare the number of ballots recorded on the ballot and seal certificate to the number of ballots listed on the results tape. If a discrepancy of four or more exists, or there are two or more irregularly marked ballots, the official tabulation of the ballots shall be conducted at a central counting station in accordance with 127.157(b)-(e) of the Texas Election Code. (See Section 5b of this Advisory, Election Day Ballots -- Precincts Completed at the Central Counting Station).
7. If no ballots need to be sent to the Central Counting Station, then election judge can continue to process results in the polling place. (See Section 5a of this Advisory, Election Day Ballots -- Precinct Returns Completed at the Polling Place).

a. Election Day Ballots -- Precinct Returns Completed at the Polling Place.

These procedures should be followed if the political subdivision does **NOT** intend to be completing their final tabulation at a central counting station.

1. After the results tapes have been printed, the counted ballots shall be removed from the precinct ballot counter and examined for irregularly marked ballots for processing in accordance with Section 127.156 of the Texas Election Code.
2. If there are two or more irregularly marked ballots that were improperly tabulated because of the irregular marks, the ballots shall be separated from the ballots that were properly marked and all of the ballots shall be delivered to a central counting station.
3. If there is no discrepancy in ballot totals and no irregularly marked ballots, the election official shall review the write-in votes, if any, in accordance with Section 65.008 of the Texas Election Code.
4. The election judge shall then prepare the precinct returns from the results tape printed, and if applicable, from the write-in votes hand tallied by the precinct election judges and clerks.

5. The precinct returns, voted ballots, electronic media from the precinct ballot counter, precinct election records, and the remaining supplies shall be delivered to the general custodian of election records, immediately after the precinct returns are completed in accordance with Section 66.053 of the Texas Election Code.
6. The custodian shall prepare unofficial tabulation of election results in accordance with Section 66.056 of the Texas Election Code.

b. Election Day Ballots -- Precinct Returns Completed at Central Counting Station

These procedures should be followed if the political subdivision has created a central counting station for the processing of election results. At a central counting station, the presiding judge is responsible for producing both precinct returns and election totals.

1. At the Polling Place

a. Precinct ballot counter returned to central counting station.

- i. After the results tapes have been printed, the election judge shall lock and seal the precinct ballot counter to prepare it for delivery back to the central counting station. The voted ballots and precinct election records shall be placed in a secure transfer case.
- ii. The precinct ballot counter and the transfer case containing the voted ballots and precinct election records shall be delivered to the presiding judge of the central counting station in accordance with Section 127.066(c) of the Texas Election Code.

b. Precinct Ballot Counter NOT returned to central counting station.

- i. If the precinct ballot counter itself cannot be removed from the polling place, the election judge shall remove the electronic media from the precinct ballot counter.
- ii. The electronic media, voted ballots and precinct election records shall be placed in a secure transfer case and shall be delivered to the presiding judge of the central counting station in accordance with Section 127.066(c) of the Texas Election Code.

2. At the Central Counting Station:

- a. The presiding judge shall unlock and unseal the precinct ballot counter, if applicable and remove the electronic media.
- b. If the electronic media was transported in a separate transfer case, the presiding judge shall open the transfer case and remove the electronic media.
- c. The voted ballot shall be removed from the transfer case.
- d. The ballots shall be examined for the irregularly marked ballots for processing in accordance with Section 127.157 (c)-(e) of the Texas Election Code.
- e. If there are no irregularly marked ballots, the electronic media shall be transferred to the manager of the central counting station for accumulation.

- f. Write-in votes shall be reviewed for voter intent by the presiding judge or clerks designed by the presiding judge. The results shall be added either manually or electronically to those for ballots counted by the precinct ballot counter. (127.130)
- g. The presiding judge of the central counting station shall be responsible for preparing precinct returns in accordance with Section 127.131 of the Texas Election Code.

6. Ballot Box Capacity Emergencies

There have been instances reported to the Secretary of State, during the early-voting-in-person period, when the number of ballots inserted into a precinct ballot counter exceeded the capacity of the precinct ballot counter's ballot box. As a best practice, the number of ballots placed in the precinct ballot counter should be monitored, and when the capacity of the box is being neared, a new precinct ballot counter should be brought in, and the first one locked, sealed and secured until the time for counting ballots. However, not all political subdivisions will have the funding to purchase additional equipment for this purpose as not all elections will have the same turnout and require additional equipment.

If a political subdivision has an insufficient quantity of precinct ballot counters, the Secretary of State has authorized the following procedures in accordance with 85.032(e) when: (1) the number of voted ballots will exceed the precinct ballot counter's ballot box capacity, (2) all precinct ballot counters at that location are full, and (3) no additional precinct ballot counters are available.

1. When the early voting clerk determines that a precinct ballot counter is nearing capacity, the early voting clerk shall notify the County Sheriff (or whoever has possession of the second ballot box key in accordance with Sec. 66.060 of the Texas Election Code) of the need to transfer voted ballots out of a precinct ballot counter.
2. In an election in which a political party has a candidate on the ballot, the early voting clerk shall also notify the county party chairs of the need to transfer voted ballots out of a precinct ballot counter.
3. When the polls are closed for the day, and in the presence of the Sheriff (or other key-holder), the early voting clerk shall open the precinct ballot counter and remove the voted ballots.
4. The ballots shall be placed in a transfer case that contains two locks and can be sealed with a tamper evident or tamper resistant seal as required under Section 85.032(b) of the Texas Election Code.
5. The deputy early voting clerk, Sheriff (or other key-holder), and any poll watchers present must sign a log that details:
 - a. the date and time that the precinct ballot counter was opened,
 - b. the numbers of the seals that have been removed,
 - c. the numbers of the seals that are attached, and
 - d. the seal numbers of the ballot box(es) to which the voted ballots were removed.

6. The voted ballots shall then be transported to the general custodian of election records for storage.
7. Poll Watchers can be present for this process.

KI:CA

Alexy Rios

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Tuesday, April 24, 2018 8:39 AM
To: VRTeam
Subject: MASS EMAIL ADVISORY (VR/EA-663) -May 22, 2018 Voter Registration Deadline Memorandum
Attachments: VR Application Sample Notification - May 22, 2018.pdf; Voter Registration Postmarks and Cut-Off Dates.pdf

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

Date: April 24, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, **Monday, April 23, 2018** was the last day for a voter to register to vote in the upcoming May 22, 2018 Primary Runoff Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the envelope from the SOS with the registrations, then all of the applications were received by us after April 23, 2018 or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope

should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us



Rolando B. Pablos
Secretary of State

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

THE ENCLOSED VOTER REGISTRATION APPLICATIONS WITHOUT POSTMARKS CAME TO OUR OFFICE IN PACKAGES WHICH WERE POSTMARKED ON OR BEFORE APRIL 23, 2018. THE VOTERS ARE ELIGIBLE FOR THE MAY 22, 2018 PRIMARY RUNOFF ELECTIONS. ANY QUESTIONS PLEASE CALL ANDRIA PERALES WITH THE ELECTIONS DIVISION TOLL-FREE AT 1-800-252-2216, *options 4 – hold until after the Spanish option, then select option 1, then option 5* OR EMAIL APERALES@SOS.TEXAS.GOV.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

A handwritten signature in black ink, appearing to read "Keith Ingram", written over the printed name.

Date: April 24, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, **Monday, April 23, 2018** was the last day for a voter to register to vote in the upcoming May 22, 2018 Primary Runoff Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the

envelope from the SOS with the registrations, then all of the applications were received by us after April 23, 2018 or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, April 24, 2018 3:01 PM
Subject: Mass Email Advisory--CC/EA-- Additional Ballot by Mail Procedures for May Uniform Date and Primary Runoff
Attachments: ADV2018-16 -Additional Ballot by Mail Procedures for May Uniform Date an....pdf
Flag Status: Flagged

Dear Election Officials:

We would like to take this opportunity to offer a few reminders to you all about the upcoming May elections.

1. **ABBM/FPCA Deadline:** Today, Tuesday, April 24, 2018, is the 11th day before the May 5, 2018 uniform election date, the last day a voter can submit an application to vote by mail (ABBM or FPCA) and receive a ballot for the May 5, 2018 uniform election date.

As a reminder, SB 5 (85th Legislature, C.S. 2017) revised the delivery rules related to faxed or emailed ABBMs and faxed FPCAs. If an FPCA is faxed or an ABBM is received via fax or email before midnight today, you **MUST** receive the original ABBM no later than Monday, April 30, 2018 (4th business day after the deadline to submit the ABBM/FPCA), in order to send the voter a ballot. If an early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may **NOT** send the applicant a ballot.

See Advisory No. 2018-02 - Ballot by Mail Deadlines; HB 1151, HB 929 (Regular Session); SB 5 (Special Session)

2. **NEW Ballot by Mail return deadlines:** There are now four deadlines for receiving and counting ballots by mail. They are:
 - a. Received by 7:00 p.m. on election day.
 - b. Received by 5:00 p.m. on the next business day after election day **with a postmark** of election day or before, if sent by a civilian or military voter using an ABBM and voting within the United States. **If no postmark, then it can't be counted.**
 - c. Received by the 5th day after election day from an overseas civilian voter (ABBM or FPCA) or a military voter (using an ABBM and voting from overseas) **with a postmark** of election day or before. **If no postmark, then it can't be counted.**
 - d. Received by the 6th day after election day from a military voter using an FPCA. **No postmark necessary.** Voter can be domestic or overseas.

Remember that for a Saturday election, the next business day is Monday. So on Monday May 7, 2018, any ballots received by 5:00 p.m. that were placed in the mail by 7:00 pm on election day can still be counted.

3. **For Counties that are contracting with entities holding a May 5, 2018 election:** Our office often receives questions related to voter "mix-ups" with their mail ballots for the May 5, 2018 uniform election date and the May 22, 2018 primary runoff election. The attached Advisory 2018-16 goes over common scenarios that may occur with these mail ballots. When posted, this Advisory will be located on your conducting your elections pages.

Please let us know if you have any additional questions. Also, please remember that there are a number of resources available to you on your [Conducting Your Elections](#) pages.

Christina Worrell Adkins

Legal Director -- Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Tiffany Owens <TOwens@sos.texas.gov>
Sent: Wednesday, April 25, 2018 9:47 AM
To: elections@co.starr.tx.us
Subject: Reminder - Reasonable Impediment Declarations

From: Elections Internet
Sent: Wednesday, April 04, 2018 8:29 AM
Subject: MASS EMAIL REMINDER--CC/EA(220)--Reasonable Impediment Declarations

Hello Everyone,

This is just a reminder that we would like you to send us scanned copies of any Reasonable Impediment Declarations (RIDs) submitted by voters for the March 6, 2018 Primary election. If you did not receive any RIDs send us an email stating so. Please send them to our office by April 5, 2018.

Scanned copies can be emailed to Tiffany Owens at towens@sos.texas.gov.

Let us know if you have any additional questions or concerns.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, May 01, 2018 9:40 AM
Subject: MASS EMAIL ADVISORY (CC/EA-657) - County Contact Information Request - Primary Runoff Election
Attachments: ENR Contact Request for Election Night March 22 2018.pdf

County Clerks and Election Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the March 6, 2018 Republican and Democratic Primary Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the **names and phone numbers of personnel authorized to report your election returns**. Additionally, we need to know the **type of voting system(s)** that will be used on Election Day and the **number of voting precincts** that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, 2018 at 5 p.m. To update your county information, please follow the instructions provided in the attached document.

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

Should you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY

N0. 2018-16

TO: County Clerks/Election Administrators and County Chairs
FROM: Keith Ingram, Director of Elections 
DATE: April 24, 2018
RE: Additional Ballot by Mail Procedures for May Uniform Election date and Primary Runoff Election.

This advisory provides answers to some commonly asked questions related to mail ballots for the May uniform election date and the primary runoff election due to the fact that these elections happen in close proximity. **In the situation where the county has contracted with local entities to serve as the local entities' early voting clerk**, there is a concern that voters will return both ballots in a single carrier envelope. Although we cannot address in this advisory every possible scenario, we will discuss those that appear to be most likely or common. For scenarios not covered in this advisory please contact our office, as the proper handling of those ballots will need to be decided on a case by case basis. If you have additional questions related to affiliation, please contact the Secretary of State at 1-800-252-VOTE (8683).

All references are to the Texas Election Code (unless otherwise cited).

Scenario 1: The early voting ballot board ("EVBB") for the May 5, 2018 election is meeting to count ballots. They open a ballot secrecy envelope and there is a primary runoff ballot inside. As the ballot secrecy envelope would have been separated from the carrier envelope, there would be no way to determine which voter's ballot this is.

Procedure for 1: This ballot cannot be counted nor retained in a carrier envelope to be forwarded to the EVBB for the runoff primary election. We suggest that the EVBB presiding judge make a notation on the ballot to explain the situation and why the ballot was not counted. The ballot should be stored in the envelope that contains the other rejected ballots (which will still be in their carrier envelopes). See Texas Election Code Section 87.043. Unfortunately, as there is no way to know which voter submitted this ballot, no notice of rejection can be sent to the voter. We note that there is no authority in the Texas Election Code ("the Code") to store a voted ballot outside of the jacket or carrier envelope. Additionally, while the EVBB qualified the voter's ballot with respect to the May 5, 2018 election, the EVBB did not qualify the ballot with respect to the runoff primary. The May 5, 2018 EVBB board does not have the authority to qualify a ballot for the runoff primary.

Scenario 2a: The EVBB for the May 5, 2018 election reviews a carrier envelope (that is marked to show it is a carrier for the May 5, 2018 election) and determines it will accept the ballot. The EVBB proceeds to open the carrier envelope to remove the ballot secrecy envelope, but the ballot is not in a secrecy envelope. The EVBB is able to immediately determine that the ballot inside the carrier is a primary runoff ballot. In this scenario, the ballot is tied to a particular voter as the carrier envelope is still effectively with the ballot.

Procedure for 2a: We recommend that the EVBB immediately put the ballot back in the carrier envelope and seal the envelope. The EVBB should deliver the carrier envelope to the early voting clerk, who should then place the carrier envelope in the jacket envelope for that voter for the primary runoff, ready to be forwarded to the EVBB for that election at the appropriate time. We also suggest that the presiding judge of the EVBB write a memo to detail what occurred, what actions were taken, and the date those actions were taken. The presiding judge and at least one other member of the EVBB should sign off on the memo. A copy of the memo should be placed in the voter's May 5, 2018 jacket envelope and a copy provided to the early voting clerk for placement in the voter's primary runoff jacket envelope. When the EVBB for the primary runoff election convenes and sees a carrier envelope for the May 5, 2018 election in the jacket envelope for the primary runoff, the memo will serve to inform that EVBB of what has occurred.

Scenario 2b: As a corollary to scenario 2a, as the voter's May 5, 2018 carrier envelope contained the primary runoff ballot, it is possible that the primary runoff carrier contains the May 5, 2018 ballot. Can the early voting clerk take the runoff primary carrier and provide it to the May 5 EVBB for processing?

Procedure for Scenario 2b: As we can identify the voter under these scenarios, and hopefully contact the voter, the chain of custody can be well established. Regarding the carrier envelope for the runoff, which presumably contains the May 5, 2018 entity ballot, we suggest that the early voting clerk call the voter (if possible) to see if voter can confirm that the May 5, 2018 ballot is probably in the runoff carrier envelope. If the voter confirms that s/he believes the ballot in the primary runoff carrier envelope is in fact the May 5, 2018 ballot (or if the early voting clerk is unable to reach voter), the early voting clerk may forward that carrier envelope to the May 5, 2018 election EVBB to process as normal, if able to do so in a timely manner. We do not recommend that the early voting clerk open the carrier envelope, with or without the voter's permission, to determine whether the carrier actually contains the May 5, 2018 ballot. Only the EVBB should be opening this carrier envelope, once the EVBB has determined that the carrier envelope was properly processed (signature comparison completed, voter eligibility determined, etc.). We do suggest that the early voting clerk write a memo to detail what occurred, what actions were taken, and the date those actions were taken, and place a copy of the memo in the voter's May 5, 2018 jacket envelope. Another copy should be placed in the voter's primary runoff jacket envelope.

Scenario 3a: The EVBB for the May 5, 2018 election qualifies the carrier envelope and finds two ballots, each inside a separate ballot secrecy envelope or neither ballot in a ballot secrecy envelope.

Procedure for Scenario 3a: We feel that under this limited circumstance, the EVBB may open the ballot secrecy envelopes, if used by the voter. (The EVBB has the discretion to open a ballot secrecy envelope in limited circumstances. For example, to see if there is a statement of residence included in the secrecy envelope rather than the carrier envelope. It is also not a requirement for a ballot to be in the secrecy envelope.) If one of the ballots is for the May 5, 2018 election and one is for the primary runoff election, the May 5, 2018 ballot may be counted. The primary runoff ballot cannot be counted. There is no authority for the EVBB to, for example, copy the carrier envelope for the May 5, 2018 election and place the runoff ballot back in the carrier envelope for forwarding to the primary runoff EVBB (as in scenario 2b, above). We suggest that the presiding judge of the EVBB makes a notation on the primary runoff ballot to explain the situation and why the ballot was not counted. The primary runoff ballot should be stored in the envelope that contains the rejected ballots (which will still be in their carrier envelopes). See Section 87.043. We recommend sending this voter a rejection letter, even though this EVBB is not the proper ballot board for the May 22, 2018 primary runoff ballot. As above, we recommend that a memo be written and signed by the EVBB presiding judge to detail actions taken. A copy of the memo should be placed in the voter's May 5, 2018 jacket envelope and a copy provided to the early voting clerk for placement in the voter's primary runoff jacket envelope.

Scenario 3b: The EVBB for the May 5, 2018 election qualifies the carrier envelope, later discovers that the ballot secrecy envelope contains both a May 5, 2018 ballot and a primary runoff ballot.

Procedure for 3b: As in 3a, the May 5, 2018 ballot may be counted, but the May 22, 2018 primary runoff ballot cannot. No notice can be sent to the voter as the identity of the voter cannot be determined by the time the error (2 ballots in one secrecy envelope) is discovered. Again, we suggest that the presiding judge of the EVBB make a notation on the rejected primary runoff ballot and store it with the rejected May 5, 2018 ballots.

KI:CA:CG

Alexy Rios

From: Andria Perales <APerales@sos.texas.gov>
Sent: Tuesday, May 01, 2018 9:53 AM
To: Elections Internet
Subject: RE: MASS EMAIL ADVISORY (CC/EA-657) - County Contact Information Request - Primary Runoff Election
Attachments: ENR Contact Request for Election Night May 22 2018.pdf

County Clerks and Election Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the May 22, 2018 Republican and Democratic Primary Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the **names and phone numbers of personnel authorized to report your election returns**. Additionally, we need to know the **type of voting system(s)** that will be used on Election Day and the **number of voting precincts** that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, 2018 at 5 p.m. To update your county information, please follow the instructions provided in the attached document.

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

Should you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: May 1, 2018

RE: Please Provide County Contact Information for the May 22, 2018 Republican and Democratic Primary Runoff Election

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the May 22, 2018 Republican and Democratic Primary Runoff Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, at 5 p.m.

To update your county information:

- **Log into the Elections Management and Certification System (EMCS)** using your County Name and EMCS Password.

<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>,

A screenshot of the EMCS login page. At the top, there is a header with the Texas Secretary of State logo and the text "Election Management and Certification System". Below the header, there are two input fields labeled "Login Name" and "Password". At the bottom right of the input fields, there is a "Login" button.

To reset your password, call us at 1.800.252.8683 to receive a temporary password. You will have 20 minutes to create a new password using the following requirements:

Password cannot be same as current password.

Password must be at least 10 characters.

Passwords less than 15 characters should not contain a space and require an upper case, a lowercase, a number, and a special character such as the following: !@#%&*_+=?/~`;;, <> \

Passwords longer than 15 characters do not have password requirements and can be sentences; i.e. "This is an example password".

- Click on the “Counties” button for the 2018 Republican or Democratic Party Primary Runoff Election. **Note:** You must update your contact information under each election.

Election Name	Election Date	Locked	Election Type	Actions
2018 Democratic Party Primary Runoff(327)	2018-05-22	N	PRIMARY	Edit Events Races Counties Candidates
2018 Republican Party Primary Runoff(326)	2018-05-22	N	PRIMARY	Edit Events Races Counties Candidates

- Click the “Edit” button under the Actions column

County	Voter Registration	Suspense Voters	Precincts	Max. Salary	Region	ENR First Report Time	ENR Last Report Time	Top Six Rank	Contact Complete	Actions
ANDERSON					North Central Texas				N	Edit

- Update the total number of precincts, and include 1 precinct for early voting. (Report the number of precincts reporting on election night, not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts

If you are a county using the **Countywide Polling Place Program (CWPP)**, enter the number of Election Day polling locations within your county, including one (1) for early voting. (You will still need to track election precincts for the precinct by precinct report, which we will ask for after election night.)

- Place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Enter the telephone number for your Central Counting Station.

Telephone number of Central Counting Station

- Enter or update the County Election Official, ENR Contact, and/or the ENR Alt Contact's information. For phone numbers, enter the data without commas, dashes, or spaces.

Name: <input type="text"/>	Contact Phone: <input type="text"/>	Cell Phone: <input type="text"/>	Home Phone: <input type="text"/>	Delete
----------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------

- Click “Update” at the bottom of the page to save your changes. [Update](#)
- Logout

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

If you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: May 1, 2018

RE: Please Provide County Contact Information for the May 22, 2018 Republican and Democratic Primary Runoff Election

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the May 22, 2018 Republican and Democratic Primary Runoff Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, at 5 p.m.

To update your county information:

- **Log into the Elections Management and Certification System (EMCS)** using your County Name and EMCS Password.

<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>,

A screenshot of the EMCS login page. At the top, there is a header with the Texas Secretary of State logo and the text "Election Management and Certification System". Below the header, there are two input fields labeled "Login Name" and "Password". At the bottom right of the input fields, there is a "Login" button.

To reset your password, call us at 1.800.252.8683 to receive a temporary password. You will have 20 minutes to create a new password using the following requirements:

Password cannot be same as current password.

Password must be at least 10 characters.

Passwords less than 15 characters should not contain a space and require an upper case, a lowercase, a number, and a special character such as the following: !@#\$%^&* _+=?/~` ;, <> \

Passwords longer than 15 characters do not have password requirements and can be sentences; i.e. "This is an example password".

- Click on the “Counties” button for the 2018 Republican or Democratic Party Primary Runoff Election. **Note:** You must update your contact information under each election.

Election Name	Election Date	Locked	Election Type	Actions				
2018 Democratic Party Primary Runoff(327)	2018-05-22	N	PRIMARY	Edit	Events	Races	Counties	Candidates
2018 Republican Party Primary Runoff(326)	2018-05-22	N	PRIMARY	Edit	Events	Races	Counties	Candidates

- Click the “Edit” button under the Actions column

County	Voter Registration	Suspense Voters	Precincts	Max. Salary	Region	ENR First Report Time	ENR Last Report Time	Top Six Rank	Contact Complete	Actions
ANDERSON					North Central Texas				N	Edit

- Update the total number of precincts, and include 1 precinct for early voting. (Report the number of precincts reporting on election night, not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts	<input type="text"/>
-----------	----------------------

If you are a county using the **Countywide Polling Place Program (CWPP)**, enter the number of Election Day polling locations within your county, including one (1) for early voting. (You will still need to track election precincts for the precinct by precinct report, which we will ask for after election night.)

- Place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System	Paper Ballot <input type="checkbox"/>	Optical Scan <input type="checkbox"/>	Automark <input type="checkbox"/>	DRE <input type="checkbox"/>
---------------	---------------------------------------	---------------------------------------	-----------------------------------	------------------------------

- Enter the telephone number for your Central Counting Station.

Telephone number of Central Counting Station	<input type="text"/>
--	----------------------

- Enter or update the County Election Official, ENR Contact, and/or the ENR Alt Contact's information. For phone numbers, enter the data without commas, dashes, or spaces

Name: <input type="text"/>	Contact Phone: <input type="text"/>	Cell Phone: <input type="text"/>	Home Phone: <input type="text"/>	Delete
----------------------------	-------------------------------------	----------------------------------	----------------------------------	--------

- Click “Update” at the bottom of the page to save your changes.
- Logout

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

If you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, May 03, 2018 6:01 AM
Subject: FW: MASS EMAIL ADVISORY (CC/EA-657) - County Contact Information Request - Primary Runoff Election (Reminder)
Attachments: ENR Contact Request for Election Night May 22 2018.pdf

Friday is the last day to update contact information in EMCS.

If you haven't already, please log into the [Elections Management and Certification System \(EMCS\)](#) using your County Name and EMCS Password.

NOTE: Only the following counties are required to update their contact information for the Republican Primary Runoff:

ANDERSON	BURNET	DELTA	HAYS	LAVACA	POTTER	TARRANT
ARANSAS	CALDWELL	ELLIS	HENDERSON	LEE	REAL	TOM GREEN
AUSTIN	CALHOUN	FANNIN	HILL	LLANO	REFUGIO	TRAVIS
BANDERA	CHEROKEE	FAYETTE	HUNT	MATAGORDA	ROCKWALL	TRINITY
BASTROP	COKE	FREESTONE	IRION	MCCULLOCH	RUNNELS	VAN ZANDT
BELL	COLLIN	GILLESPIE	JACKSON	MILAM	SAN JACINTO	VICTORIA
BEXAR	COLORADO	GONZALES	KAUFMAN	MILLS	SAN PATRICIO	WASHINGTON
BLANCO	COMAL	GRAYSON	KENDALL	NAVARRO	SAN SABA	WHARTON
BRAZORIA	CONCHO	GRIMES	KERR	NUECES	SCHLEICHER	WILLIAMSON
BURLESON	DALLAS	HARRIS	LAMPASAS	POLK	STERLING	WOOD

For a password reset or assistance, please call us at 1.800.252.8683.

Andria Perales

Office of the Texas Secretary of State
Elections Administration and Special Projects

For Voter Related Information, please visit:



From: Andria Perales

Sent: Tuesday, May 01, 2018 9:53 AM

To: Elections Internet <Elections@sos.texas.gov>

Subject: RE: MASS EMAIL ADVISORY (CC/EA-657) - County Contact Information Request - Primary Runoff Election

County Clerks and Election Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the May 22, 2018 Republican and Democratic Primary Runoff Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the **names and phone numbers of personnel authorized to report your election returns**. Additionally, we need to know the **type of voting system(s)** that will be used on Election Day and the **number of voting precincts** that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, 2018 at 5 p.m. To update your county information, please follow the instructions provided in the attached document.

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

Should you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: May 1, 2018

RE: Please Provide County Contact Information for the May 22, 2018 Republican and Democratic Primary Runoff Election

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the May 22, 2018 Republican and Democratic Primary Runoff Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, at 5 p.m.

To update your county information:

- **Log into the Elections Management and Certification System (EMCS)** using your County Name and EMCS Password.

<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>,

A screenshot of the EMCS login page. It features a header with the Texas Secretary of State logo and the text "Election Management and Certification System". Below this, there are fields for "Login Name:" and "Password:", followed by a "Login" button.

To reset your password, call us at 1.800.252.8683 to receive a temporary password. You will have 20 minutes to create a new password using the following requirements:

Password cannot be same as current password.
Password must be at least 10 characters.
Passwords less than 15 characters should not contain a space and require an upper case, a lowercase, a number, and a special character such as the following: !@#\$%^&* _+=?/~`.;, <> \ |
Passwords longer than 15 characters do not have password requirements and can be sentences; i.e. "This is an example password".

- Click on the “Counties” button for the 2018 Republican or Democratic Party Primary Runoff Election. **Note:** You must update your contact information under each election.

Election Name	Election Date	Locked	Election Type	Actions
2018 Democratic Party Primary Runoff(327)	2018-05-22	N	PRIMARY	Edit Events Races Counties Candidates
2018 Republican Party Primary Runoff(326)	2018-05-22	N	PRIMARY	Edit Events Races Counties Candidates

- Click the “Edit” button under the Actions column

County	Voter Registration	Suspense Voters	Precincts	Max. Salary	Region	ENR First Report Time	ENR Last Report Time	Top Six Rank	Contact Complete	Actions
ANDERSON					North Central Texas				N	Edit

- Update the total number of precincts, and include 1 precinct for early voting. (Report the number of precincts reporting on election night, not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts

If you are a county using the **Countywide Polling Place Program (CWPP)**, enter the number of Election Day polling locations within your county, including one (1) for early voting. (You will still need to track election precincts for the precinct by precinct report, which we will ask for after election night.)

- Place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Enter the telephone number for your Central Counting Station.

Telephone number of Central Counting Station

- Enter or update the County Election Official, ENR Contact, and/or the ENR Alt Contact’s information. For phone numbers, enter the data without commas, dashes, or spaces.

Name: Contact Phone: Cell Phone: Home Phone: [Delete](#)

- Click “Update” at the bottom of the page to save your changes. [Update](#)
- Logout

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

If you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, May 04, 2018 6:01 AM
Subject: - REMINDER - MASS EMAIL ADVISORY (CC/EA-657) - County Contact Information Request - Primary Runoff Election
Attachments: ENR Contact Request for Election Night May 22 2018.pdf
Importance: High

LAST DAY!

As a reminder, **today** is the last day to update your contact information in EMCS.

[Click Here to Login Now!](#)

Thank you to all those have updated their information!

Andria Perales

Office of the Texas Secretary of State
Elections Administration and Special Projects

From: Elections Internet
Sent: Thursday, May 03, 2018 6:01 AM
Subject: FW: MASS EMAIL ADVISORY (CC/EA-657) - County Contact Information Request - Primary Runoff Election (Reminder)

Friday is the last day to update contact information in EMCS.

If you haven't already, please log into the [Elections Management and Certification System \(EMCS\)](#) using your County Name and EMCS Password.

NOTE: Only the following counties are required to update their contact information for the Republican Primary Runoff:

ANDERSON	BURNET	DELTA	HAYS	LAVACA	POTTER	TARRANT
ARANSAS	CALDWELL	ELLIS	HENDERSON	LEE	REAL	TOM GREEN
AUSTIN	CALHOUN	FANNIN	HILL	LLANO	REFUGIO	TRAVIS
BANDERA	CHEROKEE	FAYETTE	HUNT	MATAGORDA	ROCKWALL	TRINITY
BASTROP	COKE	FREESTONE	IRION	MCCULLOCH	RUNNELS	VAN ZANDT
BELL	COLLIN	GILLESPIE	JACKSON	MILAM	SAN JACINTO	VICTORIA
BEXAR	COLORADO	GONZALES	KAUFMAN	MILLS	SAN PATRICIO	WASHINGTON
BLANCO	COMAL	GRAYSON	KENDALL	NAVARRO	SAN SABA	WHARTON

BRAZORIA	CONCHO	GRIMES	KERR	NUECES	SCHLEICHER	WILLIAMSON
BURLESON	DALLAS	HARRIS	LAMPASAS	POLK	STERLING	WOOD

For a password reset or assistance, please call us at 1.800.252.8683.

Andria Perales

Office of the Texas Secretary of State
Elections Administration and Special Projects

For Voter Related Information, please visit:



From: Andria Perales
Sent: Tuesday, May 01, 2018 9:54 AM
To: Elections Internet <Elections@sos.texas.gov>
Subject: MASS EMAIL ADVISORY (CC/EA-657) - County Contact Information Request - Primary Runoff Election

County Clerks and Election Administrators,

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the May 22, 2018 Republican and Democratic Primary Runoff Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the **names and phone numbers of personnel authorized to report your election returns**. Additionally, we need to know the **type of voting system(s)** that will be used on Election Day and the **number of voting precincts** that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, 2018 at 5 p.m. To update your county information, please follow the instructions provided in the attached document.

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

Should you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov

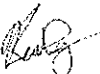


Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Clerks and Elections Administrators

FROM: Keith Ingram, Director of Elections 

DATE: May 1, 2018

RE: Please Provide County Contact Information for the May 22, 2018 Republican and Democratic Primary Runoff Election

Under Section 68.034 of the Texas Election Code, you must transmit the returns for the May 22, 2018 Republican and Democratic Primary Runoff Election to this office on election night. Although you will be reporting returns via the Internet, we still need to populate our database with the names and phone numbers of personnel authorized to report your election returns. Additionally, we need to know the type of voting system(s) that will be used on Election Day and the number of voting precincts that will be reported on election night. While we don't anticipate problems, it is imperative you provide accurate contact information so that our office will be able to reach you should an emergency occur.

This information must be submitted no later than Friday, May 4, at 5 p.m.

To update your county information:

- **Log into the Elections Management and Certification System (EMCS)** using your County Name and EMCS Password.

<https://enr.sos.state.tx.us/ENR/faces/Login.xhtml>,

A screenshot of the EMCS login page. The header shows the Texas Secretary of State logo and the text "Election Management and Certification System". Below this are fields for "Login Name:" and "Password:" with a "Login" button.

To reset your password, call us at 1.800.252.8683 to receive a temporary password. You will have 20 minutes to create a new password using the following requirements:

Password cannot be same as current password.

Password must be at least 10 characters.

Passwords less than 15 characters should not contain a space and require an upper case, a lowercase, a number, and a special character such as the following: !@#\$%^&* _+=?/~`;;<>|

Passwords longer than 15 characters do not have password requirements and can be sentences; i.e. "This is an example password".

- Click on the “Counties” button for the 2018 Republican or Democratic Party Primary Runoff Election. **Note:** You must update your contact information under each election.

Election Name	Election Date	Locked	Election Type	Actions
2018 Democratic Party Primary Runoff(327)	2018-05-22	N	PRIMARY	Edit Events Races Counties Candidates
2018 Republican Party Primary Runoff(326)	2018-05-22	N	PRIMARY	Edit Events Races Counties Candidates

- Click the “Edit” button under the Actions column

County	Voter Registration	Suspense Voters	Precincts	Max. Salary	Region	ENR First Report Time	ENR Last Report Time	Top Six Rank	Contact Complete	Actions
ANDERSON					North Central Texas				N	Edit

- Update the total number of precincts, and include 1 precinct for early voting. (Report the number of precincts reporting on election night, not the actual number of polling locations. Your total number of precincts should include ONE precinct for ALL of the early voting locations.)

Precincts

If you are a county using the **Countywide Polling Place Program (CWPP)**, enter the number of Election Day polling locations within your county, including one (1) for early voting. (You will still need to track election precincts for the precinct by precinct report, which we will ask for after election night.)

- Place a check mark in the box next to the Voting Systems that will be used in your county on election night.

Voting System Paper Ballot ☐ Optical Scan ☐ Automark ☐ DRE ☐

- Enter the telephone number for your Central Counting Station.

Telephone number of Central Counting Station

- Enter or update the County Election Official, ENR Contact, and/or the ENR Alt Contact's information. For phone numbers, enter the data without commas, dashes, or spaces.

Name: <input type="text"/>	Contact Phone: <input type="text"/>	Cell Phone: <input type="text"/>	Home Phone: <input type="text"/>	Delete
----------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------

- Click “Update” at the bottom of the page to save your changes. [Update](#)
- Logout

If any of the information changes prior to election night, immediately contact Andria Perales.

The instructions for reporting your election night returns, via the internet, will be provided at a later date and will include additional instructions to report your returns.

If you have any questions or need assistance, please contact Andria Perales at elections@sos.texas.gov or toll-free at 1.800.252.8683.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, May 09, 2018 4:40 PM
Subject: Mass Email Advisory-CC/EA-2018-20 - Precinct by Precinct Report
Attachments: ADV2018-20 - Precinct by Precinct Report - May 5, 2018.pdf

Dear Election Officials:

Attached to this email you will find **Advisory 2018-20 --Precinct by Precinct Report**. After your canvass has been completed, you will be required to complete the precinct by precinct report and submit it to our office. Instructions on how to use the system are included in the advisory. Your password will be emailed to you separately.

When posted, this advisory will be available on your [Conducting Your Elections](#) page.

Please let us know if you have any additional questions or concerns.

Christina Worrell Adkins
Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us


Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY

N0. 2018-20

TO: Election Officials
FROM: Keith Ingram, Director of Elections
DATE: May 8, 2018
RE: Precinct by Precinct Report for May 5, 2018 Elections



After the canvass has been completed, you will need to complete the **precinct-by-precinct report**. All election results are required to be submitted to the Secretary of State pursuant to Section 67.017 of the Texas Election Code.

Information for logging into the system:

1. You may access the online reporting system by clicking on this link:
<https://efm.sos.state.tx.us/ataccount/signon.asp>
2. The temporary password will be emailed to you. If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

Information for entering in your precinct-by-precinct results:

1. **You should not input your results until after you have canvassed your election.** The report is meant to capture final election results.
2. **You must include both the early votes and election day votes by precinct for all races reported.**
3. We have designed three methods by which you can submit this report to our office:
 1. You can upload your results through the link above via the Secretary of State defined Excel spread sheet and attach it to a web browser;
 2. Upload the spreadsheet using a web browser (confer with your vendor for specific details);
 3. You can "build" your own report by inputting your precinct returns directly into the system.

The instructions for inputting results are online.

4. The precinct by precinct returns are required to be filed not later than 30 days after the election.

If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov, or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

KI:CA

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, May 16, 2018 2:04 PM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA/CSO--Securing the Texas Election Systems
Attachments: Quad9.pdf; Belfer Communications Guide.pdf; Belfer Campaign Playbook.pdf; Belfer State and Local Playbook.pdf; CIS Elections Handbook.pdf; MS-ISAC Services Guide.pdf; DHS Resource Guide.pdf

Hello Everyone,

As you know, the 2016 election and events since then have caused heightened interest in ensuring that elections are secure. Local election officials have responsibility for insuring both the cybersecurity and physical security of data and equipment used in administering elections. The elections division and the IT division here at the Secretary of State have compiled a list of resources available at no cost that will be beneficial to you as you enhance the security of elections in Texas. We will continue to be on the lookout for additional resources for you to use in this important endeavor.

- The non-profit Center for Internet Security (CIS) operates both the Elections Infrastructure Information Sharing and Analysis Center (EI-ISAC), and Multi-State Information Sharing and Analysis Center (MS-ISAC). These organizations provide timely and useful cybersecurity alerts. They seek to gather information from individual member organizations and share anonymized analysis and recommendations back to the entire membership. EI-ISAC products are tailored to the needs of the election community, while MS-ISAC products are suited for the wider state and local government audience. Both organizations provide a wealth of free and low-cost resources. CIS provides a Handbook for Elections Security that is geared toward a more technical audience. **We strongly recommend that you take full advantage of these resources by joining the EI-ISAC and MS-ISAC.**
 - EI-ISAC: <https://learn.cisecurity.org/ei-isac-registration>
 - MS-ISAC: <https://www.cisecurity.org/ms-isac/>
 - CIS Handbook for Elections Security: <https://www.cisecurity.org/elections-resources/>
- The U.S. Department of Homeland Security also offers many no-cost services and resources to state and local government organizations and is currently prioritizing elections infrastructure for access to their services.
 - <https://www.dhs.gov/topic/election-security>
- The Belfer Center at Harvard has created several guides that may be helpful:
 - The State and Local Election Cybersecurity Playbook: <https://www.belfercenter.org/publication/state-and-local-election-cybersecurity-playbook>
 - The Cybersecurity Campaign Playbook. <https://www.belfercenter.org/CyberPlaybook>
 - The Election Cyber Incident Communications Coordination Guide: <https://www.belfercenter.org/publication/election-cyber-incident-communications-coordination-guide>
- The National Cyber Awareness System also offers a no-cost subscription to informational products. These products are designed to improve situational awareness among technical and non-technical audiences by providing current information on cybersecurity threats and issues.
 - <https://www.us-cert.gov/ncas>

- The non-profit Global Cyber Alliance has partnered with major global cyber security organizations to create the Quad9 project to aid organizations in preventing their systems from being infected with malicious software as well as to combat phishing attempts (attempts to trick users into clicking on malicious links or attachments in email). By having your technical staff make a simple change to your network configuration, this service can help prevent damage to your systems. This is a relatively simple, no-cost countermeasure against Internet based malware.
➤ Quad 9: <https://www.quad9.net/>

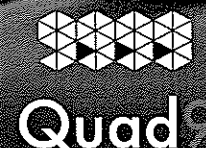
As I mentioned above, SOS technical and elections staff will continue to seek out and highlight resources that we feel may be of use to you. Look for additional information in the near future. We look forward to working together to ensure the confidentiality, integrity, and availability of Texas election systems. Please reach out to us with questions or comments at: electionsecurity@sos.texas.gov

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

INTERNET SECURITY & PRIVACY IN FOUR SIMPLE STEPS



Put your DNS to work today.

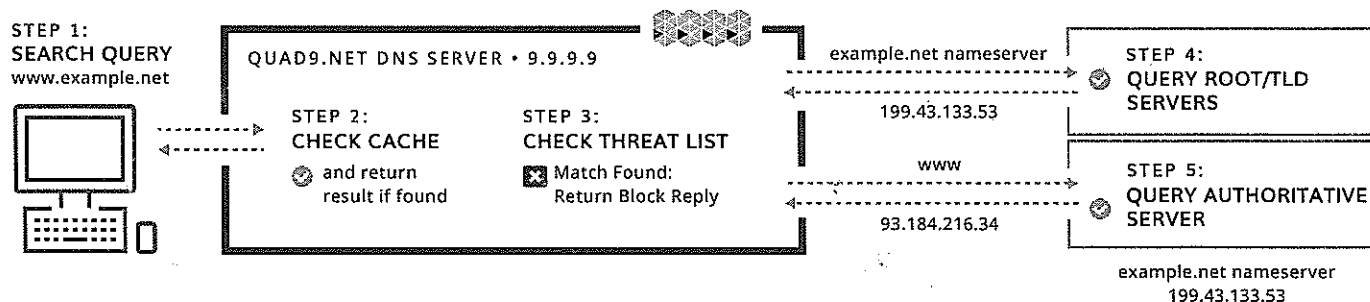
Quad9 is a free security solution that uses DNS to protect your system against the most common cyber threats. It improves your system's performance plus it preserves and protects your privacy. **It's like an immunization for your computer.**

What is DNS?

Every website has a numerical address – known as an IP (Internet Protocol) address. DNS (Domain Name Server) is what translates these numerical IP addresses into readable domain names we all know and remember. If your DNS settings are not working correctly, or you're using the default setting, you may be at risk for cybercrime and performance issues.

How Quad9 Works

Quad9 routes your DNS queries through a secure network of servers around the globe. The system uses threat intelligence from more than a dozen of the industry's leading cyber security companies, to give a real-time perspective on what websites are safe, and what sites are known to include malware or other threats. If the system detects that the site you want to reach is known to be infected, you'll automatically be blocked from entry – **keeping your data and computer safe.**



IN COLLABORATION WITH



► Quad9.net

AMERICAN
OVERSIGHT

Who Should Set Up Quad9?

Setting up Quad9 requires just a simple configuration change. Most organizations or home users can update in minutes by changing DNS settings in the central DHCP server or home internet router which will update all clients and connected devices in a few minutes with no action needed at end devices at all. The service is and will remain freely available to anyone wishing to use it. Here are a few of the benefits:



INDIVIDUALS:

Increase your security, protect your devices, and reduce your risk of becoming a victim of cyber crime.



BUSINESS USERS:

Better secure your network, protect your digital assets and customers, reduce the risk of malicious threats such as email fraud, malware and ransomware.



THREAT INTELLIGENCE PROVIDERS:

Collaborate with a global community of peers to take action on cybercrime and malware.



APPLIANCE MANUFACTURERS:

Ensure your IoT products aren't putting consumers at risk through unknown vulnerabilities. Block botnet command-and-control requests before they cause harm!



Security:

A combined pool of malicious sites from more than 18 leading vendors and sources.



Privacy:

Quad9 does not collect any personally identifiable information.



Performance:

A global service with an infrastructure to match.



Free and easy to use:

Free and easy to set up. A few minutes is all it takes to configure your devices.

To learn more, including how easy it is to set up Quad9 for your DNS service, visit the website at [Quad9.net](https://quad9.net).

IN COLLABORATION WITH



Quad9

► [Quad9.net](https://quad9.net)

AMERICAN
OVERSIGHT

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, May 21, 2018 4:08 PM
Subject: Mass Email Advisory--CC/EA-- Primary Runoff Canvass Instructions and Deadlines
Attachments: ADV2018-21 -Canvass and Recount Deadlines for May 22, 2018-Primary Runoff Election.pdf

Dear Election Officials:

Attached to this email, you will find **Advisory 2018-21 Canvass and Recount Dates the 2018 Primary Runoff Election**. This advisory contains the relevant dates and deadlines that you may need in order to answer candidate questions about your canvass and recount deadlines. Additionally, the SOS has an outline, Procedures to Request and Conduct a Recount, that may be helpful in addressing recount questions.

Instructions for Filing the Statement of Canvass

House Bill 1735, (85th Legislature, RS, 2017), effective September 1, 2017, made numerous changes to how primary elections are conducted. For instance, the county election officer is required to prepare and submit to the Secretary of State ("SOS") a report of the results of the canvass of the primary election. The county may begin entering data into the website prescribed by SOS as early as Wednesday, May 23, 2018 if there are no outstanding provisional ballots or ballots by mail. Otherwise, the county election officer should plan on beginning this process by Tuesday, May 29, 2018 and must be completed by Wednesday, May 31, 2018 before the county chair can canvass the returns. The county chair shall be notified when the returns have been certified by the county. The final canvass is concluded when the chair digitally certifies the canvass report on the SOS's website on Thursday, May 31, 2018. The chair is not required to file any additional notice or report with the county election officer.

Below are the steps to enter, certify, and digitally canvass the primary election:

COUNTY ELECTION OFFICER (MAY 23-31)	COUNTY CHAIR (MAY 31)
Step 1:	
Open the following website URL using the same login and password used for Election Night Reporting: https://webservices.sos.state.tx.us/canvass2018/index.aspx <ul style="list-style-type: none">There are two radio buttons: Democrats and Republicans. Each party is reported separately.	Open the following website URL using the same login and password used to access the Primary Finance System and Candidate Filing System: https://webservices.sos.state.tx.us/canvass2018/index.aspx
Step 2:	
<ul style="list-style-type: none">Enter values into the following fields:<ol style="list-style-type: none">Total number of voters voting;Total number of provisional ballots cast;Total number of provisional ballots counted.	<ul style="list-style-type: none">Verify and edit as necessary the values for the following fields:<ol style="list-style-type: none">Total number of voters voting;Total number of provisional ballots cast;Total number of provisional ballots counted.
Step 3:	
<ul style="list-style-type: none">The unofficial returns that were reported on election night will be prepopulated.For races not reported on election night the fields will be blank.	<ul style="list-style-type: none">The returns entered by the county election officer after Election Day but before May 31th will be prepopulated.Update results as necessary.

<ul style="list-style-type: none"> • Update results as necessary. • All fields must have a value, even if it is 0. • Please note that you must use the <u>tab</u> key or click in each field individually rather than using the enter key to move from field to field. • Votes may be decreased or increased. • If more votes are entered in a race than registered voters, you will <u>not</u> get a warning message. 	<ul style="list-style-type: none"> • All fields must have a value, even if it is 0. • Please note that you must use the <u>tab</u> key or click in each field individually rather than using the enter key to move from field to field. • Votes may be decreased or increased. • If more votes are entered in a race than registered voters, you will <u>not</u> get a warning message.
Step 4:	
<ul style="list-style-type: none"> • Click the "Save" button at the bottom or the top of the form. • Check the Certification Statement checkbox to display the "Certify" button (please be patient, it may take a minute for the certification button to appear). • Click the "Certify" button. Once this is done, votes will no longer be editable. • A copy may be printed by clicking "Print" in the upper right corner of the webpage. • To enter returns for the other party, click "Return to Party Selection" in the upper right corner of the webpage. 	<ul style="list-style-type: none"> • If changes were made in Step 3, click the "Save" button at the bottom or the top of the form; otherwise, proceed to the bullet below. • Check the Certification Statement checkbox to display the "Certify" button (please be patient, it may take a minute for the certification button to appear). • Click the "Certify" button. Once this is done, votes will no longer be editable. • A copy may be printed by clicking "Print" in the upper right corner of the webpage.

Thank you for all of your hard work. If you have any questions or concerns, please contact us at 1-800-252-8683.

Christina Worrell Adkins

Legal Director -- Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The Cybersecurity Campaign Playbook



HARVARD Kennedy School

BELFER CENTER

for Science and International Affairs

DEFENDING DIGITAL DEMOCRACY

MAY 2018

Defending Digital Democracy Project

Belfer Center for Science and International Affairs

Harvard Kennedy School

79 JFK Street

Cambridge, MA 02138

www.belfercenter.org/D3P

Statements and views expressed in this document are solely those of the authors and do not imply endorsement by Harvard University, the Harvard Kennedy School, or the Belfer Center for Science and International Affairs.

Design & Layout by Andrew Facini

Cover photo: Lena Gjokaj takes a cell phone photo of stage for the presidential debate between Democratic presidential candidate Hillary Clinton and Republican presidential candidate Donald Trump at Hofstra University in Hempstead, N.Y., Monday, Sept. 26, 2016. (AP Photo/Julio Cortez)

Copyright 2018, President and Fellows of Harvard College



The Cybersecurity Campaign Playbook

Contents

Welcome	3
Authors and Contributors	4
The Playbook Approach	5
Introduction.....	5
The Vulnerable Campaign Environment.....	7
The Threats Campaigns Face.....	8
Managing Cyber Risk	9
Securing Your Campaign.....	10
■ Top-Five Checklist	12
Steps to Securing Your Campaign	13
Step 1: The Human Element.....	13
Step 2: Internal Communication.....	17
Step 3: Account Access and Management	19
Step 4: Devices.....	22
Step 5: Networks.....	25
Step 6: Information Operations and Public Facing Communication	27
Step 7: Incident Response Planning	29

Welcome

People join campaigns for different reasons: electing a leader they believe in, advancing an agenda, cleaning up government, or experiencing the rush and adrenaline of campaign life. These are some of the reasons we got involved in politics. We certainly didn't sign up because we wanted to become cyber experts and we're guessing you didn't either.

We come from different political parties and don't agree on much when it comes to public policy, but one thing uniting us is the belief that American voters should decide our elections and no one else. Our increasingly digital way of living and working offers new ways for adversaries to influence our campaigns and elections. While you don't need to be a cyber expert to run a successful campaign, you do have a responsibility to protect your candidate and organization from adversaries in the digital space. That's why Defending Digital Democracy, a project of Harvard Kennedy School's Belfer Center for Science and International Affairs, created this Cybersecurity Campaign Playbook.

The information assembled here is for any campaign in any party. It was designed to give you simple, actionable information that will make your campaign's information more secure from adversaries trying to attack your organization—and our democracy

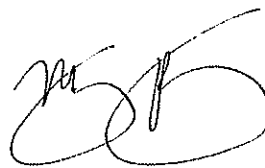
Most of all, we hope this resource allows you to spend more time on what you signed up for—campaigning.

Good luck.



Robby Mook

Hillary Clinton 2016 Campaign Manager



Matt Rhoades

Mitt Romney 2012 Campaign Manager

Authors and Contributors

This project was made possible by dozens of people who generously volunteered their time.

Special thanks are due to **Debora Plunkett** for leading the project and **Harrison Monsky** for writing the document.

We are also indebted to the people listed below who invested countless hours in reviewing drafts and providing input.

DEFENDING DIGITAL DEMOCRACY LEADERSHIP

Eric Rosenbach, Co-Director, Belfer Center

Robby Mook, Belfer Center Fellow

Matt Rhoades, Belfer Center Fellow

AUTHORS AND CONTRIBUTORS

Heather Adkins, Director, Information Security and Privacy, Google

Dmitri Alperovitch, Co-founder and CTO, CrowdStrike

Ryan Borkenhagen, IT Director, Democratic Senatorial Campaign Committee

Josh Burek, Director of Global Communications and Strategy, Belfer Center

Michael Chenderlin, Chief Digital Officer, Definers Public Affairs

Robert Cohen, Cyber Threat Analyst, K2 Intelligence

Chris Collins, Co-Founder, First Atlantic Capital

Caitlin Conley, D3P, Harvard Kennedy School

Julia Cotrone, Special Assistant, Definers Public Affairs

Jordan D'Amato, D3P, Harvard Kennedy School

Mari Dugas, Project Coordinator, D3P, Harvard Kennedy School

Josh Feinblum, D3P, Massachusetts Institute of Technology

John Flynn, Chief Information Security Officer, Uber

Siobhan Gorman, Director, Brunswick Group

Daniel Griggs, Founder and CEO, cmdSecurity Inc.

Stuart Holliday, CEO, Meridian International Center

Eben Kaplan, Principal Consultant, CrowdStrike

Greg Kesner, Principal, GDK Consulting

Dai Lin, D3P, Harvard Kennedy School

Kent Lucken, Managing Director, Citibank

Katherine Mansted, D3P, Harvard Kennedy School

Ryan McGeehan, Member, R10N Security

Jude Meche, Chief Technology Officer, Democratic Senatorial Campaign Committee

Nicco Mele, Director, Shorenstein Center

Eric Metzger, Founding Partner and Managing Director, cmdSecurity Inc.

Zac Moffatt, CEO, Targeted Victory

Harrison Monsky, D3P, Harvard Law School

Debora Plunkett, Former Director of Information Assurance, National Security Agency

Colin Reed, Senior Vice President, Definers Public Affairs

Jim Routh, Chief Security Officer, Aetna

Suzanne E. Spaulding, Senior Adviser for Homeland Security, Center for Strategic and International Studies

Matthew Spector, D3P, Harvard Kennedy School

Irene Solaiman, D3P, Harvard Kennedy School

Jeff Stambolsky, Security Response Analyst, CrowdStrike

Alex Stamos, Chief Security Officer, Facebook

Phil Venables, Partner and Chief Operational Risk Officer, Goldman Sachs

Frank White, Independent Communications Consultant

Sally White, D3P, Harvard University

Rob Witoff, Senior Security Manager, Google

BELFER CENTER WEB & DESIGN TEAM

Arielle Dworkin, Digital Communications Manager, Belfer Center

Andrew Facini, Publications and Design Coordinator, Belfer Center

The Playbook Approach

A bipartisan team of experts in cybersecurity, politics and law wrote this *Cybersecurity Campaign Playbook* to provide simple, actionable ways of countering the growing cyber threat.

Cyber adversaries don't discriminate. Campaigns at all levels—not just presidential campaigns—have been hacked. You should assume that you are a target. While the recommendations in this playbook apply universally, it is primarily intended for campaigns that do not have the resources to hire full-time, professional cybersecurity staff. We offer basic building blocks to a cybersecurity risk mitigation strategy that people without technical training can implement (although we include some suggestions that will require the help of an IT professional).

These are baseline recommendations, *not* a comprehensive reference to achieve the highest level of security possible. We encourage all campaigns to enlist professional input from credentialed IT and cybersecurity professionals whenever possible.

Introduction

Candidates and campaigns face a daunting array of challenges. There are events to organize, volunteers to recruit, funds to raise, and the relentless demands of the modern media cycle. Every staffer must anticipate unfortunate surprises like gaffes or a last-minute attack ad. Cyber attacks now belong on this list as well.

As campaigns have become increasingly digital, adversaries have found new opportunities to meddle, disrupt, and steal. In 2008, Chinese hackers infiltrated the Obama and McCain campaigns, and stole large quantities of information from both. In 2012, the Obama and Romney campaigns each faced hacking attempts against their networks and websites. In 2016, cyber operatives believed to be sponsored by Russia stole and leaked tens of thousands of emails and documents from Democratic campaign staff.

The consequences of a cyber breach can be substantial. News of a breach itself, compounded by a slow-drip release of stolen information, can derail a candidate's message for months. Attackers overloading a website can lead to lost donations at key moments. The theft of personal donor data can generate significant legal liabilities and make donors reluctant to contribute to a campaign. Destructive attacks aimed at staff computers or critical campaign servers can slow down campaign operations for days or even weeks. Cleaning up the resulting mess will divert precious resources in the heat of a close race, whether it's for president or city council.

For the foreseeable future, cyber threats will remain a real part of our campaign process. As democracy's front line, campaign staff must recognize the risk of an attack, develop a strategy to reduce that risk as much as possible, and implement response strategies for that moment when the worst happens. While no campaign can achieve perfect security, taking a few simple steps can make it *much harder* for malicious actors to do harm. Ironically, the most sophisticated state actors often choose the least sophisticated methods of attack, preying on people and organizations who neglect basic security protocols. That is our primary reason for creating this *Cybersecurity Campaign Playbook*.

In today's campaigns, cybersecurity is *everyone's* responsibility. Human error has consistently been the root cause of publicized cyber attacks, and it's up to the candidate and campaign leaders to weave security awareness into the culture of the organization. *The decisions humans make are just as important as the software they use.* Going forward, the best campaigns will have clear standards for hard work, staying on message, being loyal to the team—and following good security protocol.

Before we get into our recommendations, let's quickly frame the problem:

the **environment** in which your campaign is operating;

the **threats** your campaign will likely face; and,

the **importance** of cyber risk management.

The Vulnerable Campaign Environment

Today's campaigns are uniquely soft targets. They're inherently temporary and transient. They don't have the time or money to develop long-term, well-tested security strategies. Large numbers of new staff are often onboarded quickly without much time for training. They may bring their own hardware from home and the malware lurking on it. Events move quickly, the stakes are high, and people feel that they don't have time to care about cybersecurity. There are a lot of opportunities for something to go wrong.

At the same time, campaigns rely more and more on proprietary information about voters, donors, and public opinion. They also store sensitive documents like opposition research, vulnerability studies, personnel vetting documents, first-draft policy papers, and emails on various servers. The risks of a potential attack are increasing and so are the consequences.

THE DANGER OF AN ATTACK:

Picture this: It's a month before Election Day, and the race is tight. You arrive at headquarters early, fire up the coffee maker, get to your desk, and log into your computer. A black screen pops up, then a gruesome cartoon of your candidate, followed by a message. Your hard drives have been wiped clean. Every digital bit of information you've gathered—memos, targeting lists, balance sheets—is gone. Getting it back, you read, will cost a cool million in Bitcoin and the renunciation of a major policy position.

An unidentified group hacked into your computer months ago, and has been quietly stealing emails, strategy memos, donors' addresses, and staffers' Social Security numbers. The group has spent weeks combing through the bounty in search of dirty laundry and created an easy-to-use website dedicated solely to distributing the highlights. Prominently featured is a lengthy "self research" book on your candidate. For now, the campaign's website is down, its social media accounts have been suspended for pushing out lewd images, and there's not a working computer in sight.

The Threats Campaigns Face

Unfortunately for campaigns and our country, foreign adversaries may think that harming or helping a particular candidate advances their national interest, whether that means creating chaos and confusion among American voters, or punishing an official who has spoken out against them. This may sound like thriller fiction, but the reality is that a sophisticated foreign intelligence service, cybercriminal or hacktivist with a grudge against a candidate, could decide that you or someone on your campaign is a target.

These are the sorts of threats managers and staffers have to realize are possible.

WHO'S HACKING?

Campaigns face information and cybersecurity threats from a wide array of actors. Lone “black hat” hackers and cybercriminals have tried compromising campaigns for reasons of personal gain, notoriety, or the simple desire to see if they could. Nation-states pose the most dedicated and persistent threat. Russian espionage groups known as “Fancy Bear” (APT 28) and “Cozy Bear” (APT 29) were implicated in the 2016 campaign hacks. The Chinese have focused much more on information gathering. They are believed to have been active in the 2008 and 2012 presidential campaigns, but there is no evidence they released any stolen materials. The North Koreans infamously retaliated against Sony Pictures Entertainment for producing the film, *The Interview*, by stealing and releasing company emails and wiping their systems. Heightening tensions with the United States could prompt more attacks in the future.

Managing Cyber Risk

Risk is best understood in three parts. First, there are *vulnerabilities*: weaknesses in your campaign that make information susceptible to theft, alteration, or destruction. Vulnerabilities can originate in hardware, software, processes, and in the vigilance level of your staff. Then there are actual *threats*: the nation-states, hacktivists, and other nonstate groups with the capability to exploit those vulnerabilities. Risk exists where vulnerabilities and threats meet. Lastly, there are *consequences*—the impact when malicious actors capitalize on unmitigated risk.

There's little you or your campaign can do to prevent threats themselves—they are the result of larger geopolitical, economic, and social forces. What you *can* do is substantially reduce the likelihood that your adversaries will succeed by reducing your own vulnerability. Reducing vulnerability reduces risk—it's up to you to decide which ones are most essential to address based on the possible consequences. For example, you may decide that the most damaging thing a hacker could do is to steal your candidate's self research report. In response, you devote extra resources for secure cloud-based storage, use two-factor authentication, and restrict access to a small number of people. You may decide to make other documents on the campaign more widely available and less secure, since more people need them to do their jobs and they wouldn't cause much damage if they were leaked.

There are technical aspects to risk mitigation, but what matters most is that you take a holistic approach. As a campaign leader, you must make fundamental choices, such as who has access to information, what information is kept or discarded, how much time you devote to security training, and how you behave as a role model. As a campaign professional, risk management is your responsibility—both technical and human. It's up to you to decide what data and systems are most valuable and what resources you commit to protect them.

Securing Your Campaign

Our security recommendations are organized according to three principles:



Prepare

The success of nearly every one of the *Playbook's* recommendations depends on the campaign manager creating a culture of security vigilance that minimizes weak links. That means establishing clear ground rules that are enforced from the top down and are embraced from the bottom up.



Protect

Protection is critical. When you discover you have a security problem, it is already too late. Building the strongest defenses that time and money allow is key to reducing risk. Internet and data security works best in layers: there is no single, bulletproof technology or product. A few basic measures used in combination can make a campaign's digital architecture more difficult to breach and more resilient if compromised.



Persist

Campaigns now face adversaries with ever-increasing levels of resources and expertise; even the most vigilant culture and the toughest infrastructure may not prevent a security breach. Campaigns need to develop a plan ahead of time to deal with a breach if one occurs.

Some campaigns have more time and money for cybersecurity than others. That's why our recommendations offer two tiers of protection: “good” and “enhanced.” The “good” tier represents everything a campaign *must* do to have a *minimum* level of security. Using the “good” recommendations in a piecemeal fashion will leave you vulnerable. You should always aspire to do more as time, money, and people allow, which is why we recommend using the “enhanced” level whenever possible. If you have the resources to get reputable, trained IT support, it's money well spent. Threats are constantly evolving and professional IT services will help get you beyond what this playbook provides and keep you abreast of the latest threats and solutions.

Management

Campaign managers need to take responsibility for their cybersecurity strategy, but most will delegate development and supervision to a deputy or operations director. It's important that cybersecurity is tightly integrated into HR and IT work, since correctly onboarding staff, provisioning hardware, and controlling permissions will be critical to your strategy. Many small campaigns will rely on volunteer support for IT and cybersecurity. You can use this playbook to guide your discussion with your volunteer support. The key is to carefully vet the volunteers who support you and carefully control access, so that volunteer support doesn't create new vulnerabilities. You should make sure a campaign staffer is supervising IT work and controlling permission to access different systems.

When To Start

Whatever support model you have, *cybersecurity should start on Day One*. What follows is a “top five checklist” of measures that are absolutely vital. Make sure these are in place at the very beginning, even if there are just one or two staff, then complete the other “good” recommendations as soon as possible.

Cost

A lot of what we recommend here is free or very low cost. In fact, everything on our top five list is free, except getting a cloud-based platform, which will only cost a few dollars per month per employee. High target campaigns will need to budget enough resources for hardware and software to execute a responsible strategy, but this should still be a very small percentage of a multi-million dollar statewide campaign budget. Smaller campaigns will be able to execute the recommendations here for a few hundred to a few thousand dollars depending on how many staff or volunteers work on the campaign.

Any references to vendors and products are intended to help provide examples of common solutions, but do not constitute endorsements. If challenges arise when implementing products or services, we encourage you to reach out directly to the vendors, who can usually provide user-level technical assistance. When it comes to product and service selection, we encourage every campaign to consult with a cybersecurity expert or conduct independent research to find the best product for their needs.

Top-Five Checklist

1. Establish a culture of information security awareness:



Take cybersecurity seriously. You are responsible for reducing risk, training your staff, and setting the example. Routinely update and patch all systems. Human error is the number one cause of breaches. Phishing continues to be a leading method of attack. Train your staff to be on guard for suspicious messages. (see page 12)

2. Use the cloud:



A big, commercial cloud service will be much more secure than anything you can set up. Use a cloud-based office suite that will provide all your basic office functions and a safe place to store information. (see pages 14-15)

3. Use two-factor authentication (2FA) and strong passwords:



Require 2FA for all important accounts, including your office suite, any other email or storage services, and your social media accounts. Use a mobile app or physical key for your second factor, not text messaging. (see pages 16-17)

For your passwords, using a password manager is the best way to reduce risk. They allow you to generate and store long and random passwords that you don't have to memorize—the program does that for you. If for some reason you don't use a password manager then create SOMETHINGREALLYLONGLIKETHISSTRING, not something really short like Th1\$. Contrary to popular belief, a long string of random words without symbols is more difficult to break than something short, with L0t\$ 0f \$ymb01\$. (see page 17)

4. Use encrypted messaging for sensitive conversations and materials:



Using an encrypted messaging tool for phones like Signal or Wickr for sensitive messages and documents means adversaries can't get them if they hack into your email. Encryption scrambles the data, dramatically reducing the likelihood that someone can read your messages, even if they intercept the data.

5. Plan and prepare:



Have a plan in case your security is compromised. Know whom to call for technical help, understand your legal obligations, and be ready to communicate internally and externally as rapidly as possible. (see pages 19-22)

Steps to Securing Your Campaign



Step 1: The Human Element

Cybersecurity is fundamentally a human problem, not a technical one. The best technological solutions in the world will have no effect if they are not implemented properly, or if they are not continuously updated as technology evolves. Successful cybersecurity practices depend on creating a culture of security awareness.

“Good” — What You Need to Do

1. **Establish a strong information security culture** that emphasizes security as a standard for a winning campaign. Just as campaign staffers are instructed not to take an illegal donation, employees should know to avoid clicking on links or opening attachments in emails from unknown senders.
 - a. Onboarding: Provide basic information security **training** when you onboard new staff. You can distribute the *Staff Handout* at your training.
 - b. Trainings: Make security part of all your ongoing **staff trainings**, such as senior staff retreats or GOTV trainings. Provide **additional training** for those in sensitive roles, such as the candidate, press staff, senior staff, and anyone with system administrator privileges on your network. Managers should require that the most important people in the campaign—including the candidate—have their security settings checked by whoever runs IT (that may be the manager herself).
 - c. Set the example: Senior campaign staff and the candidate must take a **visible leadership role**, advocating for cybersecurity during trainings. Senior staff should provide **periodic reinforcement** of cybersecurity’s importance to junior staff in meetings and on calls. Don’t just have technical experts conduct trainings. The campaign manager or operations director can be a more powerful messenger precisely because they’re seen as less “technical.”
2. **Train and educate your staff to be on the lookout for phishing.** Phishing attacks against campaigns are on the rise and continue to be a primary method used by malicious actors. Train your staff to be suspicious of any email asking for information, or claiming they need to click a link to reset their credentials. Sophisticated phishing attacks may come from spoofed or compromised senders that appear legitimate. Encourage staffers to share anything suspicious with you or your IT staff. The more people share, the more confident you can be that they’re being vigilant and the more

intelligence you will have. The overall rule of thumb should be to “think before you click”, but we’ve included three key points you can remind you staff about when you train and re-train. Training should emphasize best practices such as ‘hovering’ over a link to identify the actual url, expanding email details to confirm the email address of the sender, and using a different communications channel such as a quick phone call to confirm authenticity of the sender and email contents 2FA is another important way to prevent a spear-phishing attack from leading to an account compromise—just having your username and password will not be enough to access your account. As part of the campaign’s strong security culture, senior staff should recognize and praise anyone who reports suspicious behavior on their system or admits to clicking a potentially malicious link.

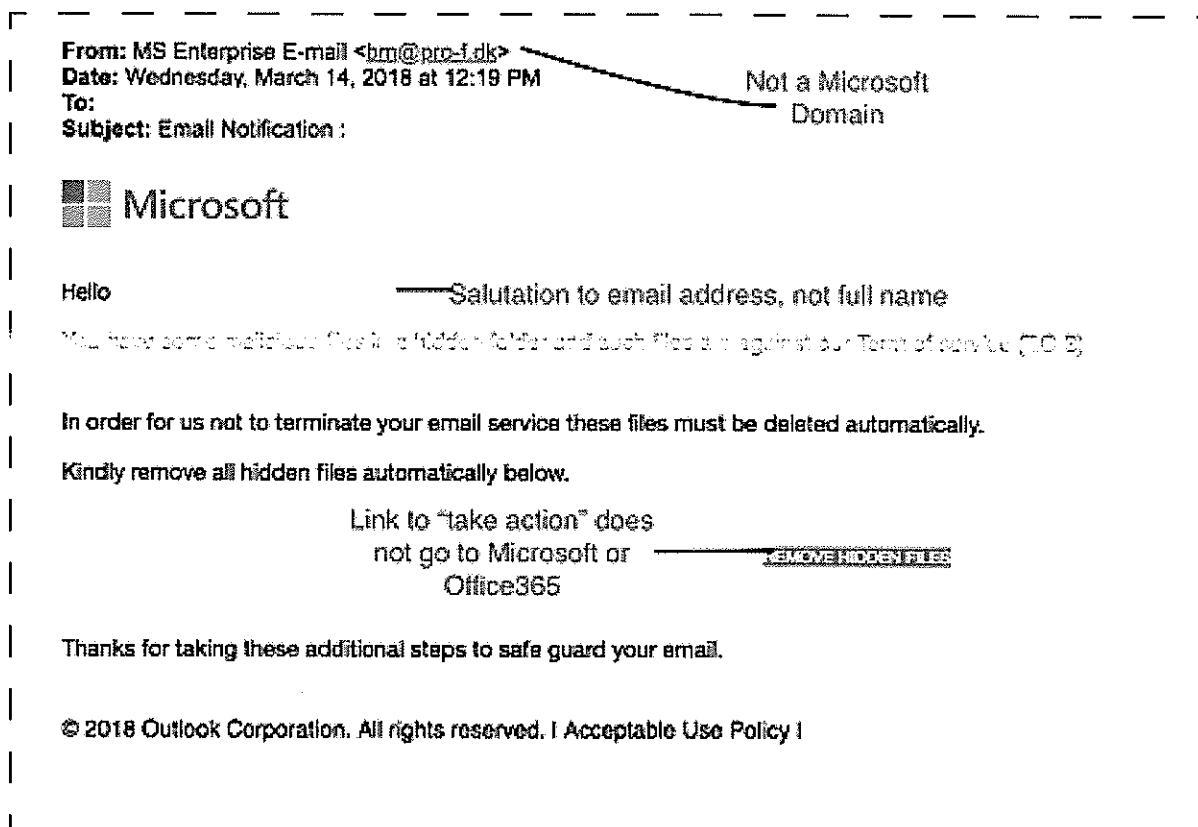
- a. **Phishing can happen on the phone, too!** Staff should never share information, wire money, or give anything else away on the phone if they aren’t certain who the caller is. Make staff aware of the threat and tell train them to listen to how the caller greets them and to ask questions that outsiders may not be able to answer. You can easily test your staff on phishing calls—and your friends will enjoy doing it!
3. **Conduct a thorough vetting** of staff, volunteers, and interns—anyone requesting access to campaign information—to avoid giving credentials to someone who wants to steal or sabotage your systems. Establish a definition for **sensitive information** and rules for its use. For example, you could choose to classify all polls, research materials, strategy memos, and related emails as “sensitive.” Prohibit the transfer of sensitive information on communication channels that aren’t managed and secured by the campaign. You can require that it be transferred only through encrypted messaging (see Step 2).
4. **Confirm that consultants and vendors with access to sensitive information have secure email and storage** (see Step 2). When in doubt, require vendors and consultants to use an account on your cloud-based office suite (See Step 2).
5. **Control access** to important online services, such as the official campaign social media accounts, to prevent use by unauthorized individuals. Make sure that those who leave the campaign can no longer access campaign-related accounts. You can do this easily by using a social media account management tool that acts as a gateway to all your accounts. If someone leaves the campaign, you should immediately disable their account.

“THINK BEFORE YOU CLICK”

PAUSE before you click on a link within an email to check what address the email is coming from and to ask yourself if the email is suspicious.

CONFIRM that a request for information, money, personal information, passwords, documents, etc. is legitimate by following up with the person requesting, ideally in person, or at least by phone. Never give your password or personal information over a link.

REPORT anything suspicious to your leadership by forwarding any email that's remotely questionable. Make sure you flag it as “suspicious” (e.g., in the title) so that no one else inadvertently acts on a malicious email.

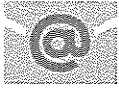


“Enhanced” — Take the Next Step

1. Software products such as Phishme and KnowBe4 can **train your staff by sending them fake phishing emails**. This is a safe, quick, and effective way to learn who is at risk of clicking a link, so you can give them counseling and extra training. Many of these products also filter some phishing attempts out of your email.
2. If you have the resources, **hire a dedicated IT professional** to manage your campaign's systems and an IT security expert to help protect, maintain, and monitor your campaign's digital infrastructure. He or she can provide regular security training and testing of your people and systems, while customizing security solutions.
3. Contract with a **cybersecurity firm** to provide security solutions, review your defenses, and/or monitor your systems for a breach. Know which firm you want to contact if you are breached and need urgent incident response support. This is an alternative to hiring a full-time IT security expert. Do your research and go with a highly reputable, U.S.-based firm—not all cybersecurity firms provide the same level of service.

WORKING WITH SECURITY PROFESSIONALS

If you decide to work with a security professional, how will you evaluate the right person or firm? Whether it's through personal recommendations or positive public reviews, it's important that you avoid costly yet ineffective support. When interviewing potential security professionals, ask about how they've responded to past security incidents and how they've enabled others to work more securely. Your respective national party committee or trusted campaign professionals may be able to recommend options to choose from. Bear in mind that culture affects security and that even the best recommendations may fail to achieve results if they are not followed (i.e., just hiring a firm won't solve your problems).



Step 2: Internal Communication

Not all methods of communication are equally secure, so use the most secure method possible. Campaign leadership should set a standard that encourages in-person conversations whenever possible, and discourages needless or superfluous emails. Whether it is phone calls, texting, or emailing, different products and services offer different levels of protection, so do your research before you choose which systems your campaign is going to use.

“Good” — What You Need to Do

1. **Use a cloud-based office suite** that provides secure email communication, document creation, chat, and file sharing, such as GSuite or Microsoft365. For GSuite Enterprise, choose “Advanced Protection” and for Office365, use E5. Both will have built in settings that are more secure. For example, GSuite includes Google Drive for file sharing, Gmail for email hosting, Google Hangouts for chat, and Google Docs for word processing, spreadsheets, and presentations. Microsoft365 offers OneDrive/SharePoint for file sharing, Outlook/Exchange for email, Microsoft Teams for chat, and Microsoft Office for word processing, spreadsheets, and presentations. Cloud-based systems managed by major firms will be better protected than any servers you could set up in your campaign. There are free versions of both products, but the paid versions give you many more administrative capabilities. Google’s Advanced Protection Program provides extra security against targeted online attacks like phishing (this is available for their consumer Google/Gmail accounts). Through Google’s Protect Your Election effort, they also offer a free service to protect your website against disabling attacks.

WHAT IS THE CLOUD?

“Cloud services” provide management and access to information stored remotely on the Internet. They run on off-site servers managed by third-party companies; this includes many common services you may already use, such as Gmail or Dropbox. It’s good to store information in the cloud instead of on your personal computer because reputable cloud service providers have the money and expertise to make their server farms more secure than your laptop’s hard drive, or an office server. It’s like the difference between leaving cash under your mattress and storing it in a bank’s security vault. Using reputable cloud services offers an additional backstop against data loss if an individual device is lost or compromised. Cloud storage is a feature included in comprehensive office security services such as GSuite and Microsoft365. Other services include Dropbox or Box.

2. Use the most secure systems possible for communication.

- a. Use encrypted messaging services such as Signal, Wickr, especially for messages, document sharing and phone calls. Many campaigns require that sensitive information *only* be transmitted by encrypted messaging, although you can use it for all communication if you want (this is especially smart for high-risk individuals like the candidate). Signal and Wickr allow you to auto-delete messages, which reduces risk.
- b. Switch off archiving for messaging services, such as Google Chat and Slack, so that old chats can't be stolen later. This requires going into "settings" and adjusting "retention policy" timelines. Some services require you to do this for every single chat conversation. We recommend retaining chat messages for one week or less.

3. Defend your email

- a. **Turn on Auto-delete** in your email application for old emails to reduce the number of emails that could potentially be stolen. This usually requires going in and changing "retention policy" to shorter time periods in "settings." To ensure emails do not just sit in a "deleted items" folder, adjust settings to auto purge "deleted items" folder after a certain time period. We recommend retaining emails for one month or less.

4. Secure personal accounts

- a. Campaign business should never go on personal accounts. However, adversaries will target personal accounts for hacking, so have your staff use strong passwords and two-factor for their personal accounts as well (this is included in our *Staff Handout*).

WHAT IS ENCRYPTION?

Encryption is a way of encoding information when it travels between users, or when it's stored, so it can't be read by anyone but the intended recipient. Think of it this way: a user "scrambles" the data when she sends it and only the intended recipient has the key to unscramble it. Using encryption is smart, especially for sensitive information, because even if an adversary steals the data, it's unlikely they'll be able to read it. Most apps that use encryption, like Signal or Wickr, make the process seamless. Laptops or cloud storage systems use encryption as well.



Step 3: Account Access and Management

One of the most challenging aspects of security is keeping unauthorized people out. This means preventing adversaries from gaining access to your data *and* preventing people within your campaign from having access to information they do not need. While some of the recommendations below may seem cumbersome, hackers depend on those who value convenience over security.

“Good” — What You Need to Do

1. Require two-factor authentication (2FA) on all systems and applications.

Avoid texting (SMS) for two-factor authentication, because attackers can easily clone a phone number and get access to texts. There are several 2FA apps that work just as well as texting, such as Google Authenticator, Microsoft Authenticator, and Duo Mobile. You can also use a physical FIDO (“fast identity online”) key that is inserted into your USB drive such as Yubikey or Feitian. As malicious actors evolve their methods, we are seeing advanced attack techniques used to phish second factor codes sent to users. We strongly encourage the use of physical security keys for two-factor authentication, as they are not vulnerable to phishing. The website “TwoFactorAuth.org” is a helpful guide to services that do and do not offer 2FA.

WHAT IS TWO-FACTOR AUTHENTICATION?

Two-factor authentication is a second layer of security that requires a user to provide an extra credential beyond her or his password. The second factor is critical because, if your password is stolen, an adversary still can’t log into your account. Your password is something you *know* and your second factor is something you *have*, like a code that’s generated by an app, a physical key, or even something biometric, like a fingerprint.

2. Passwords

- a. **Ensure no systems are using default usernames or passwords**—this is a commonly overlooked error. Make sure each system and user has their own unique username and password,
- b. **Require strong passwords.** As we noted earlier, “make passwords that are long and strong.” Current computing capabilities can crack a seven-character password in

milliseconds. A 20-, or even 30-character password will take much longer for a hacker to crack. Choose a string of words that you can easily remember.

- c. **Use a different password for different accounts** so a hacker can't break into multiple accounts if a single password is stolen.
 - d. **If someone reaches out requesting a password or password reset, require the request to be made in person or over a video chat** to ensure it is the actual campaign staff member or volunteer. Only share passwords in person or over short-lived encrypted messages. Never share passwords over email or store/distribute using a helpdesk system.
3. **Use password managers** such as LastPass, 1Password, or Dashlane to help you manage a lot of long, strong passwords easily. But ensure that your management system has a long, strong password and two-factor authentication. We don't currently recommend password managers built into browsers, which are often less secure than these standalone managers.

PASSWORD MANAGERS

Password managers are a way to store, retrieve, and generate passwords. Some even have the ability to auto-populate the password line on login pages. The password manager requires a password of its own to login, which becomes the one password you *do* have to remember. The risk, of course, is that if someone breaks into your password manager (it has happened), that person will have all of your passwords. But this risk is almost always far outweighed by the benefit of strong, unique passwords across all of your accounts. For campaigns, password managers sometimes make sense for accounts that have multiple users, because the administrator can safely share access to them.

- 4. **Create separate accounts for administrators and users**, and severely restrict access to administrator accounts. Administrators should also have two separate campaign accounts—one used only for their admin duties and one that is their standard user account for all other campaign business. This will reduce the likelihood that an adversary will be able to compromise an administrator account, which would provide access to the entire network.
- 5. **Conduct periodic reviews** of who has access to different devices and networks. Immediately block access of people who leave the campaign. Immediately change passwords if suspicious activity is observed.

6. **Use encrypted messaging for sensitive information.** The federal government has confirmed the presence of “stingray” machines that can intercept cellular data, especially in the Washington, DC area. This is yet another reason to keep communications on encrypted messaging apps, which will be unreadable even if your signal is intercepted.
7. **Monitor all campaign, staff, and related social media accounts.** It is important to identify and respond quickly if you have been hacked. In line with the “Prepare, Protect, Persist” framework, campaign leadership should create a response plan for this scenario. This response plan should include finding appropriate points of contact within each social media company to get in touch with in the event that campaign accounts are hacked.

ADMINISTRATORS

In “IT speak,” an “administrator” or “admin” has the ability to give people access or control to systems or information. For example, as the “admin” for an email system, you can create accounts, change passwords, and set requirements like password length and two-factor authentication for all accounts. In an office suite like GSuite or Microsoft 365, you can also create groups, such as the “Field Team” or “Comms Team.” An admin’s job is really important. If they do things right, information will be available only to people who need it, which is essential for security. This means that deciding who gets admin privileges is also a critical decision. Only a few, highly trusted people should be able to grant others access to information. If a staffer with “admin” privileges leaves the campaign, make sure to take away their privileges immediately!

“Enhanced” — Take the Next Step

1. **Create user profiles for different types of campaign staff that automatically grant the necessary level of access.** Different types of employees—interns, field staff, campaign leadership—require access to different resources. Having predetermined profiles makes it easier to ensure that people are getting access only to what they need.



Step 4: Devices

Every physical device in your campaign—from a cell phone, tablet, or laptop to a router, printer, or camera—represents a potential attack path into your network. A good cybersecurity plan will attempt to control access to, into, and on *all* devices. You can control access *to* devices by making sure they are always properly handled and accounted for. You control access *into* devices via two-factor authentication and strong passwords. You control the content *on* devices via encryption and the policies guiding how you store data (i.e., storing information in the cloud instead of on machines).

“Good” — What You Need to Do

1. **Always use the most updated operating system (OS)** available, since system updates regularly include patches for the latest vulnerabilities. If possible, set device settings to **auto-install** these updates. Make it someone’s job to check on a regular basis that everyone is current.
2. **Use an automatic cloud-based backup service** to mitigate the impact of data loss if a device is lost or stolen. Examples include Backblaze and CrashPlan.
3. **Physical access to the device**
 - a. From the start, campaign leadership should **create an environment** in which people take physical security of their devices seriously—losing a device could give an adversary access to critical information that can be used to hurt the campaign.
 - b. Although many campaigns cannot afford to buy new devices, it’s always best to **purchase new equipment (especially computers and phones) if you can**. At a minimum, you should provide new devices for personnel who work with sensitive data.
 - c. If staff are using their own computers and phones, **establish a “Bring Your Own Device” (BYOD) policy** that implements strong security practices (see endpoint protection below).
 - d. Campaign members should NOT use **personal email accounts or devices that have not been secured per the BYOD policy** for campaign business, including email and social media. Any important information that resides outside devices or systems controlled by the campaign is vulnerable to attack. Leadership should constantly reinforce that campaign data needs to stay off personal email and unsecured computers.
 - e. Report lost devices immediately. Require default settings that allow for **remote wiping** on all devices.

- f. Win or lose, have a plan in place for what **happens to all data, accounts**, and devices when the campaign ends. This includes thinking how to safeguard or erase data at the hardware level. Reformatting a hard drive is not enough to protect your data. Residual data on reformatted or disposed drives can be obtained using commercially available forensics software. Extremely sensitive data should be degaussed or melted. The immediate aftermath of a campaign is an especially vulnerable period.

4. Digital access into devices

- a. Change **default passwords and settings** on all devices. Many devices come from the factory with a default password that is really easy to guess. Also, disable the guest account if a device comes with one.
- b. Implement **auto-lock** for phones and computers after two minutes and require a **password** or fingerprint ID to unlock.

5. Content on devices

- a. Require **encryption** on all devices (computers and phones) to ensure that the loss of a device does not mean the compromise of its content. Examples include FileVault for Mac and BitLocker for Windows. Some devices like the iPhone do this by default, but not all do. Require all consultants to keep data on their machines encrypted as well.
- b. Install **endpoint protection** software on all devices. Some examples include Trend Micro, Sophos, and Windows Defender. There are special endpoint security apps for phones and tablets. Lookout is an example.
- c. Limit what apps can access on all devices. This means limiting what apps are installed and limiting permissions for those apps (e.g., limiting access to contact lists or location and GPS information, turning off 'always active' mode).

WHAT IS ENDPOINT PROTECTION?

Endpoints are the devices that staff use, including mobile phones, laptop computers, and desktop computers. They are the “endpoints” of the campaign’s network, and staff are the “end users.” Endpoint protection centrally controls and manages security on remote devices. It’s especially important for campaigns that allow staff to “bring your own device” (BYOD), since the campaign needs to ensure that the device is secure, free of malware, and can be wiped if stolen or lost. Endpoint protection can also monitor the device to make sure software is up to date and detect new malware or potential threats. For many campaigns, this will feel like a big lift, but building it into your routine onboarding and investing some time upfront can save you a lot of grief later.

“Enhanced” — Take the Next Step

1. **Use mobile device management (MDM) software**, which monitors activity to ensure all devices comply with the mobile phone and user device security policies you have established for your campaign. Examples include VMware AirWatch, Microsoft Intune, and JAMF. GSuite and Microsoft Office 365 also include an MDM service.
2. **Use advanced threat protection services** that monitor and alert for malicious activity, such as CrowdStrike Falcon or Mandiant FireEye. CrowdStrike sometimes offers Falcon breach prevention service pro bono through the CrowdStrike Foundation, depending on the needs of your campaign and campaign finance rules.



Step 5: Networks

Networks are the system of physical hardware, digital software, and their connections. They represent another target-rich environment for attack. Network security comprises everything from how devices communicate with one another to using cloud services for data storage.

“Good” — What You Need to Do

1. **Embrace the cloud.** Store data on cloud services, not on personal computers or servers. Anything stored on a personal device faces higher risk than the cloud.
 - a. No one should have access to all files on the network; accounts with comprehensive administrator access should not be used for day-to-day work. Divide your file storage into department folders and grant access accordingly.
 - b. Ensure access to shared content is by **invitation only**. Some file management services also allow for implementing expiration dates on invitations and access.
 - c. Periodically audit what is being shared and with whom.
2. **Have a separate “guest” wifi network for visitors and volunteers** that limits their access to campaign resources. Try to purchase routers that offer a “guest profile” that will automatically segment your network.
3. **When traveling, or before you set up your campaign office, avoid public wifi services as much as possible** and use trusted wifi networks wherever possible. If you need mobile wifi, then try to provide campaign staffers with mobile wifi hotspots for tethering. Public wifi is often free and easy to connect with, but attackers can also use it to penetrate your hardware.
 - a. Where possible, staffers should **use a VPN** (virtual private network). VPNs help protect against intruders when on public wifi. Examples of VPN services include ExpressVPN or TunnelBear. Not all VPNs are created equal. Beware of free services: many are looking to take your data!
4. **Secure your browser.** *PC Magazine* ranked Chrome and Firefox as the two safest browsers in 2017. Regardless of what browser you use, keep it up to date.

VPNs

A virtual private network (VPN) is an encrypted "tunnel" for your Internet traffic, hiding it from intruders. Some offices use it as a way to log remotely into the office network, but this isn't very common for campaigns. Campaigns should consider having their staff use a VPN on computers and mobile phones if they often have to use public wifi or untrustworthy networks (which is sometimes the case for traveling staff or field offices).

"Enhanced" — Take the Next Step

1. You can take more advanced steps to protect your network, but they should be implemented by an IT professional. We would suggest you ask them to include the following:
 - a. **Set up a hardware firewall.**
 - b. **Encrypt your wifi connection** using the WPA2 or 802.1x security protocols (do not use WEP).
 - c. Configure cloud-based web proxies to **block access to suspicious sites** from any campaign-owned device, no matter where it is. Service provider examples include Zscaler, Cisco Umbrella and McAfee Web Gateway Cloud Service.
 - d. Have your activity logs stored on a cloud service provider such as LogEntries or SumoLogic.
 - e. **Segment your cloud-based storage** so that not everything is stored in the same place. Opposition research, strategy memos, and personnel files should be kept in different folders, and access to those folders should be restricted to the people who really need them. Consider a different storage system entirely for your campaign's most sensitive information. Restrict access so that only key personnel can access it, and only when using specific devices. (For example, if you use Microsoft365 for your office suite and document storage, but your most sensitive documents on a Dropbox or Box account.) If a member of the campaign becomes compromised, this kind of segmentation can limit the damage.
2. **Train staff not to connect their devices to unknown ports or devices.** Don't use public chargers at airports or events. Don't accept free phone chargers or batteries at events (that free USB drive may be loaded with malware!).



Step 6: Information Operations and Public Facing Communication

Information operations have been in the news a lot recently, especially campaigns run by foreign intelligence services to influence opinion in the United States. It will be up to elected leaders and policymakers to decide how to confront information operations moving forward and there's little we can do as campaign staff to impact whether they happen or not, but there are a few things we can do to manage them if they're happening. Campaigns have and will continue to be targets of these operations and need to be prepared. Defending ways your campaign communicates with the public is an important part of this. Below are some ways to better protect against information operations, identify when they are happening to your campaign or candidate, and how to respond quickly when they do occur.

WHAT ARE INFORMATION OPERATIONS?

Information is power—or at least that's what a lot of military and intelligence services think! The power of ideas has long fueled rebellions, insurgencies and civil wars and many countries that may have inferior military capabilities in the traditional sense seek to use information to divide and pre-occupy their adversaries. In Russia, for example, influencing public opinion through propaganda and inflaming local tensions is part of their doctrine of warfare and something they practice constantly on perceived adversaries. Social media completely changed the information operations game. It's now easier than every to move information quickly and impersonate other people, creating the impression of public anger or division.

"Good" — What you need to do

1. **Remember: information operations are a communications problem**, not a technical one. Adversaries can make their information operations more potent by stealing your data, but once information is out in the environment, you need a communications strategy to manage it. Think in advance how to handle fake or slanted news—will you ignore it? Re-tweet it and reinforce that it's false? How will you make this decision? These are among the most difficult decisions any campaign

has to make, but what matters most is think about these questions with your team in advance, so you and your team have guidance about how to respond, if you respond at all.

2. **Know what's going on.** Encourage activists to share posts, sites, or news stories they find suspicious. If you want, you can deputize some interns or volunteers to focus on this specifically, conducting searches to find out what content is out there. One ongoing challenge is that it's impossible to see everything that voters may be getting on their Facebook feeds. The platform has made it harder to post political advertising and has increased staff to monitor news content, but you cannot search all content. The best way to solve this right now is to deputize a team of volunteers, who represent different geographies and demographic groups in your state/district, so you can catch as much as possible.
3. **Establish contact with key social media platforms and notify them if you find fake or misleading information.** Most social media platforms will now remove "fake" or misleading content and imposter profiles. Ask your relevant campaign committee or state party for the best contact at social media platforms and establish contact early in the campaign so you can reach out quickly if something goes wrong.
 - a. Facebook
 - b. Twitter
 - c. Google/YouTube
4. **Monitor for imposter sites.** To-date, there are no public reports of imposters trying to steal money or activist data through fake websites, but it's such an easy vector of attack, you should be on the lookout. Make sure to purchase any web addresses you may want to use (or could be used against you). If you want, you can retain a reputation management service that will monitor the web for you [do we include examples?]. Some can do this at a fairly modest price.
5. **Protect Against a Distributed Denial of Service Attack (known as DDoS).** A DDoS attack is when an adversary takes control of a lot of machines, and uses them to "ping" your website all at once, causing it to crash. Most of what we focus on in this guide is how to keep people away from your campaign data, but, in the case of a DDoS, you want to keep your website open and available all the time for donors and activists. DDoS has not yet become a common threat to campaigns, but it could be used to block you from fundraising or simply cause a really frustrating disruption to your campaign. There are two free tools you can use to protect your site, Google's Project Shield and Cloudflare.



Step 7: Incident Response Planning

It's just as important to plan for responding to an attack as it is to develop a security strategy to prevent one. How you respond often has more to do with the ultimate outcome of an incident than what was compromised. You should budget some time at strategic retreats or longer senior staff meetings to discuss what will happen if something does go wrong. Here's a checklist of the steps you should take:

Legal:

Identify outside counsel you will retain in the event of a cyber incident, and discuss the response process with them at the outset of the campaign. In most cases, this will be the same person who represents your campaign on other matters, but ideally you would have someone who specializes in incident response on call, either pro bono or for a \$0 retainer.

Ask your lawyer to explain **your legal obligations** if data is stolen and what compliance measures you will need to have in place.

Understand **your vendors' legal obligations** to notify you or others if they are hacked. Wherever possible, include strict notification requirements in your vendor contracts, since third parties are a frequent source of breaches.

If you believe you've been breached, a best practice is for your **lawyer to oversee your response** under attorney-client privilege.

Talk to your lawyer about the best way to **work with law enforcement** if a breach occurs. Every campaign will approach this differently.

Technical:

Determine ahead of time **whom you will call for technical assistance** if you think you've been hacked. Your state caucus or national party committee can usually provide referrals.

Choose **someone on the campaign who will interface with technical experts** in the event of a breach. This is ideally the same person who is already coordinating IT for the campaign. Managing an incident response can be overwhelming, so you want someone focused on the technical aspects who knows what they are doing. That way you can focus on communicating with stakeholders and the press.

Operations:

Decide in advance **who will be on your Incident Response Team (IRT)** and who will participate in incident response meetings. It's important to include someone from your IT, legal, operations, and communications teams. If you're a small campaign and don't have full-time communications, IT, or operations support, plan to include any key staff who oversee campaign operations.

Determine the **chain of command for decision-making** in the event of a breach, especially regarding communications. In many cases, this will be the campaign manager, but some managers may choose to delegate responsibility to someone else.

Identify **what app or technology you will use to communicate** if you think your email has been breached (Signal and Wickr are two common options). Communication during a breach is essential, but you don't want your adversaries to know what you're saying—or even that you are responding to their actions.

Communications:

Conduct scenario planning. For many campaigns, this can be part of an existing strategy retreat. For bigger campaigns at higher risk, it may be necessary to have a dedicated meeting. Your scenario planning should include:

Identify key internal and external stakeholders, like your staff, volunteers, donors, and supporters. Know whom you need to contact if an incident occurs and rank them in order of priority. Develop a contact list and designate who will reach out to them.

Understand of the different types and varying sensitivity of the data you're collecting. Think through what could happen if the data is no longer confidential, if you can no longer rely on the integrity of the data, or if you can no longer count on it being available.

Brainstorm the most damaging scenarios and consider how your stakeholders and messaging may change for each one.

Different scenarios could include:

Rumors that your campaign has been hacked;

Credit card and contact information for your donors is stolen;

Ransomware and an extortion attempt are lodged against your campaign;

Your systems are wiped and shut down;

Someone's emails are stolen;

Your adversary steals your administrator's credentials and every file on your campaign drive.

A malicious actor alters statements on your website or public accounts.

Be careful what you say in the present about cyber security policy or cyber incidents. Some victims of cyber crimes have previously made grandiose pronouncements about their own security measures, or have criticized others who have been attacked. The press will hold you accountable for what you said in the past if you fall victim.

Similarly, **avoid providing details about the scope of the event in the early phases** of the incident (and if you can avoid discussing the scope altogether, even better). Details available at the outset will change as you investigate. A common mistake is to say something that later turns out not to be true (e.g., "they didn't steal very much," or "no personal information was taken"). Saying only what you know *for sure* is the safest course. Statements should focus on the actions you are taking to make the situation right for the affected stakeholders.

Develop some boilerplate language in advance, so that you can draft statements or talking points quickly if an incident occurs. At a minimum, create a simple Q & A document that you can rapidly revise if you actually need to use it. Creating a Q & A document in advance will help you to think as much about what you *won't* say as what you *will* say. For example, the first question will often be, "What happened?" However, you may not be able to answer that for days or weeks. The fact that you don't know what kind of breach will take place can actually help you write better boilerplate answers in advance.

Questions to include in your Q & A document are:

What happened?

How did it happen?

Who did it?

What was stolen or damaged?

Was anyone's personal information stolen? What are you doing to protect them?

How did the hackers do it?

Are the hackers out of your system?

How long were they in your system?

What security measures did you have in place? Why weren't they effective?

Shouldn't you have known this would happen? Why weren't your systems better secured?

Are you working with law enforcement? Has law enforcement contacted you?

In a ransomware breach, you'll be asked: Did you pay the ransom and why or why not?

Stay in touch with your key stakeholders and keep them as informed as you can. You probably won't be able to say much, but contacting them regularly with what you *do* know, having a clear statement about your intentions, and providing details about what you are doing to manage the situation are key. Avoid setting an expectation of too frequent updates, because often you won't have new information and your stakeholders will become frustrated if you continue to return to them without new information. Only speak proactively to the media if you have new information to provide.

Do you see a way to make this Playbook better?

Are there new technologies or vulnerabilities we should address?

We want your feedback.

Please share your ideas, stories, and comments on Twitter @d3p using the hashtag #CyberPlaybook or email us at connect@d3p.org so we can continue to improve this resource as the digital environment changes.

Defending Digital Democracy Project

Belfer Center for Science and International Affairs
Harvard Kennedy School
79 John F. Kennedy Street
Cambridge, MA 02138

www.belfercenter.org/D3P

Copyright 2018, President and Fellows of Harvard College

Illustration icons from the Noto Emoji project, licensed under Apache 2.0.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, May 22, 2018 1:19 PM
Subject: Mass Email Advisory-CC/EA-- Partial Manual Count for Primary Runoff Election
Attachments: ADV2018-22 - Partial Manual Count for Primary Runoff Election.pdf

Dear Election Officials:

This email serves as your notification that the Secretary of State is NOT waiving the partial manual count for the May 22, 2018 primary runoff election. Under Section 127.201(b) of the Texas Election Code, the Secretary of State shall select the precincts and offices that are to be counted as part of the partial manual count. Please note that for this election, the only statewide race is in the Democratic Primary Election. Attached to this email is Advisory 2018-22, which contains instructions for logging into the partial manual count system.

We know that conducting multiple partial manual counts in a short time frame is difficult and time-consuming, and we appreciate all of your hard work to provide transparency to the elections process.

Please let us know if you have any additional questions or concerns.

Christina Worrell Adkins

Legal Director -- Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)


elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Election Cyber Incident Communications Coordination Guide

**For the Election Infrastructure Government
Coordinating Council**

 **HARVARD Kennedy School**
BELFER CENTER
for Science and International Affairs

DEFENDING DIGITAL DEMOCRACY
FEBRUARY 2018

AMERICAN
OVERSIGHT

TX-STARR-19-0693-A-000527

Defending Digital Democracy Project

Belfer Center for Science and International Affairs

Harvard Kennedy School

79 JFK Street

Cambridge, MA 02138

www.belfercenter.org/D3P

Statements and views expressed in this document are solely those of the authors and do not imply endorsement by Harvard University, the Harvard Kennedy School, or the Belfer Center for Science and International Affairs.

Design & Layout by Andrew Facini

Cover photo: A view of the podiums during a news conference in the Rose Garden at the White House, Monday, April 2, 2012. (AP Photo/Charles Dharapak)

Copyright 2018, President and Fellows of Harvard College



Election Cyber Incident Communications Coordination Guide

For the Election Infrastructure Government
Coordinating Council

Contents

Defending Digital Democracy Project: About Us	2
Authors and Contributors	3
Acknowledgments	4
How to Use this Communications Guide	5
Executive Summary and Purpose	6
Strategy, Mission, and Objectives	7
Establishing a Cyber Education Baseline	9
Cyber Crisis Communications Best Practices	11
Planning Ahead	11
Communications Response	12
Communications Process	14
Phase 1: Baseline Communications Activities	15
Phase 2: Communications Planning, Activation, and Coordination	17
Phase 3: Message/Document Drafting, Coordination, and Distribution	22
Phase 4: Evaluation and Feedback	24
Communications Coordination and Response Checklist	26
Conclusion	31

Defending Digital Democracy Project: About Us

We established the Defending Digital Democracy Project (D3P) in July 2017 with one goal: to help secure democratic elections against cybersecurity threats and information operations.

There are two groups on the frontlines of defending democracy: (1) political campaigns, which enable citizens to pursue elected office; and (2) election officials, who ensure the election process is free and fair.

Last year, we set out to provide campaign and election professionals with practical guides to the most applicable cybersecurity best practices in advance of the 2018 midterm elections. In November 2017, we released “The Campaign Cybersecurity Playbook” for campaign professionals.

Now, we are releasing a set of three playbooks designed to be used together by election administrators: **“The State and Local Election Cybersecurity Playbook,” “The Election Cyber Incident Communications Coordination Guide,”** and **“The Election Incident Communications Plan Template.”** What follows is the Coordination Guide.

D3P is a bipartisan team of cybersecurity and policy experts from the public and private sectors. To better understand the cyber threat and other challenges that election administrators face, our team spent four months interviewing state officials about their communications practices and how they would or would not apply these practices in a cyber incident. We spoke with state and local election officials, as well as key national-level players and members of the Election Infrastructure Government Coordinating Council (EI-GCC).

These interviews exposed the range of challenges election officials confront in the cyber domain. One of the most significant needs we encountered was the ability to communicate consistently across states in the event of a major election cyber incident, in order to maintain public trust.

This Guide is primarily intended for use by the EI-GCC to coordinate multiple voices (and multiple facts) in an election cyber incident that crosses traditional jurisdictions. We are releasing the Guide publicly, because a range of officials may be interested in learning more about how state and local leaders can, and should, coordinate their communications in the event of this type of cyber incident. We hope this Guide becomes a starting point for the EI-GCC to establish its role as a central communications node in the event of an election cyber incident.

Finally, we would like to thank the election officials around the country for whom we wrote this guide. You are the frontline defenders of democracy. We hope this effort helps make that tremendous responsibility a little easier.

Good luck,

The D3P Team

Authors and Contributors

This project was made possible by dozens of people who generously volunteered their time. Special thanks are due to **Siobhan Gorman** for leading the project and who, in addition to **Matt Chandler**, **Meredith Davis Tavera**, and **Chris Farley**, wrote this Coordination Guide.

We are also indebted to the people listed below who invested countless hours in reviewing drafts and providing input.

SENIOR ADVISORY GROUP

Eric Rosenbach, Co-Director, Belfer Center;
Director, Defending Digital Democracy Project

Robby Mook, Co-Director, D3P

Matt Rhoades, Co-Director, D3P

Heather Adkins, Dir. of Information Security and Privacy, Google

Dmitri Alperovitch, Co-Founder and CTO, CrowdStrike

Siobhan Gorman, Director, Brunswick Group

Yasmin Green, Head of Research & Development, Jigsaw
(Alphabet)

Stuart Holliday, CEO, Meridian International Center

Kent Lucken, Managing Director, Citibank

Debora Plunkett, former Director of Information Assurance,
National Security Agency

Colin Reed, Senior Vice President, Delmar's Public Affairs

Suzanne Spaulding, Senior Advisor for Homeland Security,
Center for Strategic and International Studies

Alex Stamos, Chief Security Officer, Facebook

CONTRIBUTORS

Lori Augino, Director of Elections, WA Office of the Sec. of State

Matt Chandler, Partner, Frontier Solutions

Caitlin Conley, Executive Director, D3P

Amy Cohen, Executive Director, National Association of State
Election Directors

Meredith Davis Tavera, D3P, Harvard Kennedy School

David Forsey, Policy Analyst, National Governors Association

Shannon Cortez, Deputy Director of Elections, WA Office of
the Secretary of State

Chris Farley, Associate, Albright Stonebridge Group

David Forsey, Policy Analyst, National Governors Association

Karen Ejiofor, Staff Assistant, Belfer Center

Siobhan Gorman, Director, Brunswick Group

Eben Kaplan, Principal Consultant, CrowdStrike

Jane Khodos, Senior Director, Comms. and Content, FS-ISAC

Matthew Masterson, Commissioner, Election Assistance
Commission

Jeff McLeod, Division Director for Homeland Security and
Public Safety, National Governors Association

Robby Mook, Co-Director, D3P

Matt Rhoades, Co-Director, D3P

Eric Rosenbach, Co-Director, Belfer Center;
Director, Defending Digital Democracy Project

Michelle Tassinari, Director/Legal Counsel, Elections Division,
Office of the Secretary of the Commonwealth of MA

BELFER CENTER WEB & DESIGN TEAM

Arielle Dworkin, Digital Communications Manager,
Belfer Center

Andrew Facini, Publications and Design Coordinator,
Belfer Center

Acknowledgments

The D3P team would like to especially thank Heather Adkins of **Google**, Yasmin Green of **Jigsaw**, the **Hewlett Foundation**, the **Democracy Fund**, and the **Belfer Family**; without whom this Playbook would not have been possible. Additionally, we would like to thank the following organizations and offices for sharing their time with us through conversations, simulation participation, or field visits. Your perspectives were critical in shaping our approach to this document.

Department of Homeland Security (DHS)

National Association of State Election Directors (NASED)

National Association of Secretaries of State (NASS)

National Governors Association (NGA)

National Guard Bureau (NGB)

Election Officials from the Following States and Jurisdictions:

Atlantic County, New Jersey	State of New Jersey
Nevada County, California	Mercer County, New Jersey
Orange County, California	State of North Carolina
Santa Clara County, California	State of Ohio
State of Colorado	State of Oregon
Arapahoe County, Colorado	Multnomah County, Oregon
City and County of Denver, Colorado	Commonwealth of Pennsylvania
State of Connecticut	State of Rhode Island
Escambia County, Florida	State of Tennessee
Cook County, Illinois	State of Vermont
State of Louisiana	Commonwealth of Virginia
State of Maryland	State of West Virginia
Caroline County, Maryland	Harrison County, West Virginia
Commonwealth of Massachusetts	State of Washington
State of Minnesota	State of Wisconsin
State of Nevada	
Clark County, Nevada	

How to Use this Communications Guide

This communications guide includes best practices and guidelines to help the Election Infrastructure Government Coordinating Council (EI-GCC) quickly coordinate the response to an election-related cyber incident that affects more than one state during the early days of the incident. While every cybersecurity incident is unique, this document provides a foundation on which the EI-GCC can build a response that addresses the incident with the goal of maintaining confidence in the election system.

This Guide should be owned by the communications director, or a similar position, at the EI-GCC and be updated at least annually.

■ Key topics include:

Strategy, Mission, and Objectives: The purpose of the Guide is to help election officials maintain public confidence in the integrity of the U.S. election system in the event of an election-related cybersecurity incident.

Establishing a Cyber Communications Baseline: This section explains the importance of educating the public and other key stakeholders on cyber threats facing the election process and steps currently being taken to counter them.

Cyber Incident Best Practices: This section includes best practices for communicating with the media and other key stakeholders.

Communications Process Workflow: This component includes diagrams that outline who will manage the cyber crisis communications response and serve as spokesperson during an incident.

Response Checklist: This checklist broadly outlines steps that should be taken during the first several days after learning about a potential incident.

Executive Summary and Purpose

What constitutes a “cyber incident” in elections can range from theft of voter registration data to disruption or manipulation of the vote tally. This Guide is designed to help coordinate and align communications across jurisdictional boundaries in an election-related cybersecurity incident that involves more than one state. Its primary purpose is to maintain (or regain) public confidence in the face of such an incident.

This Guide is written to help the Election Infrastructure Government Coordinating Council (EI-GCC) assist state and local election officials, who will need to communicate across jurisdictions if an election-related cyber event has impacts beyond a single state. While every jurisdiction should have its own plan to respond to a cyber incident, many incidents will have implications beyond state boundaries. It is critical to coordinate the response from the outset, so public comments confidently convey that the issue is being addressed and maintain public trust in election systems across the country.

We recommend the creation of a communications coordination structure within the EI-GCC, including a communications director, or similar role, who would be a key spokesperson in a cyber crisis.

A multistate cyber incident could take many forms. It could be a series of incidents that collectively have a broader impact. It could be one or a few incidents that, because of their strategic significance or other factors, have an impact beyond state boundaries, or receive outsized attention from national media outlets. This could even be a false rumor that requires a coordinated effort to stamp it out.

This Guide provides:

1. A set of best practices for communicating about an election-related cyber incident
2. A process for coordinating multistate communications decision-making, including spokespeople and communications messages

Additional communications response materials, including a sample escalation process and scenario-planning materials, are available to election officials and can be obtained upon request from the National Association of Secretaries of State, the National Association of State Election Directors, or the U.S. Election Assistance Commission.

Strategy, Mission, and Objectives

The potential for cyberattacks on our elections systems is an unfortunate reality of our time. Election officials should recognize, and plan for, a possible incident. **The primary objective of this communications guide is to enable the EI-GCC to help election officials maintain public confidence in the integrity of the U.S. election system** in the event of cyber incidents both locally and crossing state boundaries.

Election officials from both parties and at all levels of government agree that there is a shared national interest in preserving the public trust in our election system.

A central component of maintaining trust is providing the public with timely and accurate information. Equally important is dispelling inaccurate information as quickly as possible, especially in today's perpetual cycle of traditional and social media coverage.

Maintaining public trust is most effectively accomplished when election officials—across parties and jurisdictions—speak with one coordinated voice. If federal officials are contradicting state leaders, as occurred in 2016, the public is left confused and it can become all the more difficult to maintain confidence in the election process. Likewise, if federal, state, or local officials are contradicting one another, it is counterproductive and confusing to the public. For these reasons, EI-GCC will play a crucial role in coordinating the response.

All public statements should demonstrate the incident is being handled competently. Any specifics that are provided should be limited only to those that will not change. The scope of the incident, for example, is likely to shift and shouldn't be discussed publicly at the outset. Modifying your story can undermine confidence in the management of the incident and the election system itself.

To institutionalize a means to maintain public trust, **the communications response strategy underlying this Guide coordinates communications messages and delivery among election officials in a multistate cyber incident** to ensure consistency and accuracy of public information. To enable a unified response, we provide communications best practices and coordination processes.

Elections are governed at the state and local level, and there is a national interest in maintaining the integrity of, and confidence in, our elections system. So it is important to have a process that

will enable officials from all levels of government to: obtain and analyze the information; decide who will speak about the national implications of the incident; and provide information and communications to all elections officials, so they can communicate accurately, dispel rumors, and reinforce coordinated messages.

Beyond the coordinated multistate process outlined in this Guide, election officials at all levels of government should take measures to prepare for a cyber incident.

■ Among the steps you can take immediately are:

Establish (or update) a state or local communications response plan to an election-related cyber incident. For a template state or local cyber communications plan please see the Election Cyber Incident Communications Plan Template.

Ensure that the communications plan is aligned with the corresponding technical response plan, and that both are regularly updated.

Test those plans with simulations.

Obtain regular updates on cyber threats, particularly as they relate to elections.

Maintain relationships with officials who will be relevant to coordinating a response to any cyber incident, including federal officials at the local level and other local community leaders.

Coordinate with political parties. It is much easier to agree to protocols for sharing information about and responding to a cyber incident before the incident and before an election.

Educate the public about the work you are doing. Set the expectation that there will likely be some cyber threat activity during an election and explain how that activity differs from what would be required to interrupt the elections process.

It is important to update and exercise communications response plans frequently—at least every year—to familiarize new players with the process and ensure you apply lessons learned from past experiences and exercises.

Establishing a Cyber Education Baseline

The public needs to understand the steps state elections officials are taking to counter cyber threats, as well as how difficult it is to execute a cyberattack that will disrupt an election outcome. If the public, and the media, understand the “new-normal,” baseline activity of cyber threats targeting elections, they will be less likely to worry unnecessarily about news of small-scale election-related cyber incidents. If you don’t have to spend considerable time allaying concerns over inconsequential incidents, you can focus your attention on the consequential ones.

The main point to make is that cyberattacks are now an issue all election officials must contend with, and the states have taken, and continue to take, steps to mitigate those threats. However, not every attempt is successful, and even successful ones are very unlikely to impact the outcome of an election.

Communications in a cyber crisis are most effective when the public has a baseline understanding of:

The continuing work at all levels of government to counter that malicious activity and try to ensure it does not escalate to a major cyber incident

The nature of the election data your agency holds, most or all of which is public data

The malicious, but inconsequential, cyber activity that takes place regularly

We recommend that the EI-GCC consider taking on some of this public education role, which would address issues that extend across the states. The council is in a strong position to draw on data from across the country and across levels of government about both threats and actions being taken to enhance the cyber defenses of election systems. For this reason, we suggest that it consider publishing an annual report on the state of election cybersecurity.

The EI-GCC, perhaps in concert with the relevant associations and Information Sharing and Analysis Centers, could provide a regular cadence of cyber threat information, so the public understands how frequently attempts are made by a range of cyber threat actors to target election

infrastructure. Making this information common knowledge will mitigate the tendency to treat every reported attempted attack as a reason to question the election system.

The type of information you may want to share could include statements such as: “Based on threat information from the Department of Homeland Security and the Federal Bureau of Investigation (or state/local law enforcement), we are taking the following steps to address and mitigate these threats.” If appropriate, this effort could take the form of regular background briefings for the media, as well as online materials and public panels or other educational events for other key stakeholders. The EI-GCC could also consider a joint public panel or forum with representatives of both political parties to discuss measures states are taking to mitigate cyberattacks.

The EI-GCC should also consider sharing limited, aggregate information on successful attacks once they have been addressed, which would establish the EI-GCC as a valuable resource for this type of information.

You should couple the cyber threat data with information on the actions states and localities are taking to strengthen the cyber defenses of election systems. This information should be specific enough to be credible while not being so detailed as to undermine your defenses. Work closely with information security and legal experts to strike the right balance.

We discuss how to establish a communications baseline in more detail in the section on communications process on Page 15.

Cyber Crisis Communications Best Practices

Election-related incidents fall broadly into five categories:

- Online rumors that seek to undermine confidence in an election
- Reconnaissance of election-related systems
- Theft of voter or other election data
- Data manipulation that could affect an election outcome
- Data destruction

The top priority in a cyber crisis will be to maintain public trust. The most effective way to achieve that goal is to respond confidently and quickly. To do this, the EI-GCC will need to prepare, train for, and test its response ahead of time—especially because it is a new organization.

Planning Ahead

Near-term Planning	Longer-term Planning
<ul style="list-style-type: none">• Determine internal roles and responsibilities. Make sure there is a clear escalation process for the EI-GCC and the right teams are talking to each other in the event of a cyber incident. Make an individual responsible for ensuring that this process is established and updated.• Assess the current crisis communications plan and analyze communications gaps and weaknesses.• Plan your response to a cyber crisis in advance with a communications plan, including a decision-making protocol and communications materials.• Ensure that cyber incident response is part of the operational continuity plan. Make sure there is a backup communications plan and system in place.	<ul style="list-style-type: none">• Conduct crisis simulation and table-top exercises, coordinated with legal, technical, and outside advisors, including key senior leaders from multiple states, counties, coordinating bodies, and the federal government.• Conduct stakeholder mapping and a risk analysis to understand risks to trust in the election system, priority stakeholders, and how to reach stakeholders to address key concerns. Pay particular attention to outreach to voters and political parties.• Educate the media through background meetings and public events on the resiliency of the election system, and the current work to mitigate cyber threats.• Educate the public through online channels and public events on the resiliency of the election system and the current work to mitigate cyber threats.

Communications Response

Best Practices

Be transparent but careful. Transparent communication builds trust, but in a cyber incident, you will have few facts at hand, especially at the outset. Public comments should demonstrate that you are taking the issue seriously, but avoid providing any details that may change as the investigation progresses, so you don't have to correct yourself down the line. Avoid speculation on the perpetrator of the incident.

Focus on actions you are taking to address the issue. To demonstrate that you are taking the issue seriously, you should talk about the steps you are taking to protect voter information and address any broader risks to the system.

Provide context. In an election-system incident, there will be a temptation for public speculation. Counter speculation with facts and context to reduce the risk of undermining public trust. Include metrics whenever possible.

Be visual. Cybersecurity can be challenging to understand depending on a person's technical background. The quickest way to get your message out is to pair it with a graphic. Connect with design teams who can provide you infographics and develop a library of graphics and photos you can draw from.

Use the right digital tools. Use social media to dispel rumors. When a cyber incident strikes, social media is now a go-to source of immediate information. In practice, this means using it selectively to counter misinformation and inaccuracies.

Learn from the incident. Use your and others' experiences to improve your cybersecurity practices and crisis plans.

Guidelines for Communicating with the Public

Focus your communications on your most important stakeholder—the public. You will be tempted to discuss the components of the incident. Instead, talk about what you are doing to address public needs or concerns in this given situation.

Speak plainly. Cybersecurity can be off-putting to nontechnical audiences. Use anecdotes and examples to demystify cybersecurity issues whenever possible.

Demonstrate transparency by communicating with the public on a regular basis. Establish a regular series of communications with the media and the public about the cybersecurity measures you are taking now, so that the first time they hear from you is not in a crisis.

Best Practices for Countering Misinformation

Establish the facts, and double-check them. You need to ensure that you are operating from a factual position before countering misinformation, so check your facts with multiple sources before citing them publicly. Ask all appropriate questions and put in the work before you speak to be certain that you do not accidentally provide misleading information.

Develop a simple, accurate, short counter-message. Develop a clear statement that contains only the facts. Avoid complex messages. You can provide additional nuance later.

Respond quickly. Misinformation can spread rapidly through social media and broadcast commentary. Your counter-message should be ready to disseminate as soon as possible.

Be transparent. Caveated, incomplete, or “no comment” responses can fuel conspiracy theories by making it appear your organization has something to hide. Demonstrating transparency can help to counter false claims. Opportunities to demonstrate transparency could include inviting reporters “behind the scenes” at a polling place.

Engage on all platforms. Misinformation can spread across multiple platforms, including social media and traditional media. To counter misinformation, deliver a clear, factual message on all available platforms.

Avoid repeating misinformation. Focus on providing accurate facts and do not repeat the false messages. For example, if false rumors circulate that lines at the polls are many hours long, avoid saying that rumors of long lines are circulating. Instead, your message should be that lines are short and moving quickly.

Communications Process

Maintaining a coordinated process is critical to effective and efficient communications planning and response to a cyber-related incident. For an incident affecting multiple states, this coordinated communications process outlines:

- Key stakeholders
- Phased planning and response
- Coordination functions
- Feedback loop to incorporate lessons learned

In this communications process, we assume that information and messaging coordination functions will be performed by cross-jurisdictional organizations that have played a similar role in past crises. Further, we recommend that new coordinating functions and mechanisms be created to execute information-sharing and communications.

We recommend that the EI-GCC—with support from other interested parties, such as the National Association of Secretaries of State (NASS), International Association of Government Officials (IGO), the U.S. Election Assistance Commission (EAC), the National Association of State Election Directors (NASED), and the National Governors Association (NGA)—establish a Cybersecurity Communications Response Group (CCRG).

This newly formed entity will provide the EI-GCC and its stakeholders with a communications coordination function that currently does not exist, allowing for collaborative, coordinated public message planning and execution if and when it is needed in the future.

Phase 1: Baseline Communications Activities

On a regular basis, the CCRG will provide updates to the public and other key stakeholders on current cyber threats and actions being taken to counter them. These baseline updates, whether part of a regular cadence or spurred by suspected nefarious activity, should be developed and coordinated with the expectation that they will be made public. Audiences and stakeholders are catalogued below with recommendations for actions that can be taken now to establish or maintain relationships with them.

Communicating with these groups on a regular basis, before something happens, is key to setting a baseline with critical audiences so that there is a level of understanding around the issue that allows mutual alignment on escalation and coordinated response. In order to provide this ongoing education, we recommend communicating early and often, in addition to when moments of interest (i.e., elections) arise. This baseline work could take the form of behind-the-scenes demonstrations and briefings for your audiences.

Stakeholders may include:



State / Local Comms.
Counterparts



Law Enforcement



Federal / State
Lawmakers



Media



Interested Parties

State and Local Communications Counterparts: Knowing your state and local counterparts is key to the planning and response actions discussed in later phases. The EI-GCC should maintain a “living list” of communications officials and accurate contact information, so these individuals can be reached on short notice for incident coordination and planning.

Law Enforcement: In the event of a cyber incident, federal, state, and/or local law enforcement will be involved in the response. Creating and maintaining relationships with key law enforcement officials and associated communicators in law enforcement agencies ensures more seamless coordination and information-sharing before, during, and after an incident.

Federal/State Lawmakers: Federal and state lawmakers play an important role in authorizing and overseeing election and cybersecurity measures. They also are likely to speak publicly about an election-related cyber incident, so communication with them is

critical before, during, and after an incident. Not only are lawmakers beneficiaries of a safe and secure elections system, but they have a vested interest in maintaining the public's trust in that system. Communicators should build relationships with key figures in Congress and statehouses, including their respective communications staffs, in advance.

Media: The media is a key information conduit to voters, providing news and commentary that shapes and defines public opinion and a belief in the election system's integrity. Establishing ongoing relationships with key reporters who cover both cybersecurity and election-related issues at the national, state, and local level will be important in shaping accurate coverage throughout all phases of cyber-related preparation and response. You should focus on two categories of media:

Traditional Media—Mainstream outlets and reporters;

Influencer Media—This category includes influential bloggers, outlets, and commentators, as well as outlets likely to reach them.

Interested Parties: You should develop relationships with voting advocacy and other third-party groups, because they play a role in maintaining the public's confidence in elections. Political parties and campaigns are a critical group with which you should develop a trusted relationship in advance. Third-party groups may also include vendors, researchers specializing in elections, technology service providers, or other industry service providers. We recommend as a next step that the CCRG develop an initial list of key groups, which should be maintained and updated by the team lead.

This list could include:

Political Parties and Campaigns

Election Groups

Think Tanks

Academics

Phase 2: Communications Planning, Activation, and Coordination

Cyber-related incidents rely on evolving investigations, making their scope and impact difficult to understand, particularly at the outset. This can make communications decision-making, coordination, and messaging even more important for reducing confusion.

Some incidents may be discovered as an attack or breach occurs, while most tend to be discovered after the fact—often after significant time has passed. The key to an effective response is not just coordination but also knowing with whom to coordinate. In any response, there are likely to be multiple voices speaking publicly, at both the national or field level.

In this phase, we assume an anomalous event has been identified, which activates a communications coordination scheme. It may be detected by a range of entities, such as a security researcher, state/local election official, law enforcement, or media.

When an incident occurs, many representatives from a variety of organizations will become involved. The section below outlines resources, coordination mechanisms, lines of coordination, and a checklist to be used in response to, or in advance of, a cyber-related incident.

Assembling Key Players

***Note:** The U.S. Federal Government's National Response Framework outlines public information as an Emergency Support Function (ESF) and includes a framework for public information coordination and action around incidents that involve, or may involve, federal response. This process aligns with the ESF #15 Standard Operating Procedure.*

CCRG Roles & Responsibilities: The CCRG should establish the following roles for responding to a multistate cyber incident. These individual roles can be filled by specific people from a variety of interested parties, which may include, but are not limited to, NASS, NASED, IGO, EAC, and NGA.

Please note that as the EI-GCC builds on this Guide, updates should include a table with these roles assigned to individuals, along with their contact information.

Communications Director—On behalf of the EI-GCC, oversees the functional coordination resources, processes, and staff. Is responsible for overall operational direction and communications messaging development in cooperation and coordination with EI-GCC and interested parties. The communications director position can be filled by different people on a rotating basis; for example, the EI-GCC could designate a communications director to stand duty quarterly. The role should be filled by a senior communicator from the EI-GCC participants or other interested parties and have the relevant management, crisis, and media operations experience to understand not only their role but also the other roles outlined as part of the CCRG.

Affected Community Communications Representatives—Usually senior communicators from affected state or local jurisdictions representing a “field” perspective and providing relevant incident-related information to the coordination process. This may include a communicator from the governor’s office and/or communicators from state and/or local elections offices.

Media Operations Director—Responsible for communication with reporters and for media monitoring on behalf of a multi-state communications coordinating body. Oversees near-term, “24-hour” communication operations, i.e., execution of communication plans.

Social Media Director—Responsible for online communications via ESCC web platforms, as well as coordination with interested parties’ digital media teams in order to promote and cross-promote content.

Communication Plans Director—Responsible for forward-looking communication plans beyond the immediate “24-hour” period.

Congressional/Inter-governmental Affairs Liaison—Responsible for coordinating congressional/governmental briefings for members of Congress, state legislatures, or other elected officials with communications staff. Coordinate through the Affected Community Communications Representative, who is likely to be a member of the ESCC or interested parties’ government affairs team.

Law Enforcement Affairs Liaison—Responsible for coordinating communications information with law enforcement and affiliated communicators.

Technical Liaison—Responsible for being the conduit of technical information between operational and communications teams. Ensures accuracy of technical data being released by communications team and serves as subject-matter expert for all such information.

Activation of the CCRG: The CCRG, while regularly communicating in Phase 1 during baseline operations, should plan for and exercise the activation of the CCRG in a crisis. Activation of the CCRG would be at the discretion of the Communications Director, with input from operational leads in response to a verified or potential incident. Additional information on the escalation process is in the Appendix available to election officials and can be obtained upon request from NASS, NASED, or the EAC

Generally speaking, this activation would be executed via a blast email to CCRG members with shareable background information on the incident, direction on the use of coordination mechanisms (discussed below), and next steps. For example, on discovery of a potential incident, the Communications Director would activate the CCRG by hosting an Election Sector Incident Communications Coordination Line call regarding the incident, thereby beginning the communications coordination process.

Election Sector Incident Communications Coordination Line (ESICCL): This bridge line is a standing conference call line that can be created to use for coordination before, during, or after a cyber-related incident. The CCRG will maintain a list of relevant contacts from federal, state, and local election offices in order to invite relevant parties to a call, should it be necessary. This resource does not currently exist and it would be incumbent upon the CCRG to coordinate the creation of this standing line at the outset.

Election Sector Information Center (ESIC): In the event of a multistate event, the CCRG should create a specific Information Center where communications activity is planned, coordinated, and executed real-time. This should include all the roles above and can reside in one physical location or it could be done virtually through online means. An ESIC would be the functional nerve center of all communications-related activity.

Coordination Mechanisms

Using the Election Sector Incident Communications Coordination Line (ESICCL)

As the standing conference call line for election sector cyber-related incidents, the ESICCL can be a key coordination mechanism for communicators to share both operational data, as well as coordinate messaging and communications-related activity.

Upon the activation of the CCRG, the Communications Director will stand up the ESICCL and distribute the time and conference line to invited participants for an initial conference call. This call could include representatives from affected communities, as well as the CCRG roles listed above and any other CCRG participants or outside advisors with relevant subject-matter expertise.

The call agenda can follow a regular rhythm:

- Roll call
- Opening remarks by Communications Director for CCRG
- Brief operations summary (on-scene reps or operations)
- Summary of major communications plans and events
- Invitee comments
- Messaging coordination requirements outlined by EI-GCC Representative
- Conclusion and next steps

Standing up the ESIC

Should an event rise to the level where ongoing, real time coordinated public information flow is necessary, the CCRG could stand up either an in-person or virtual ESIC where personnel could work together.

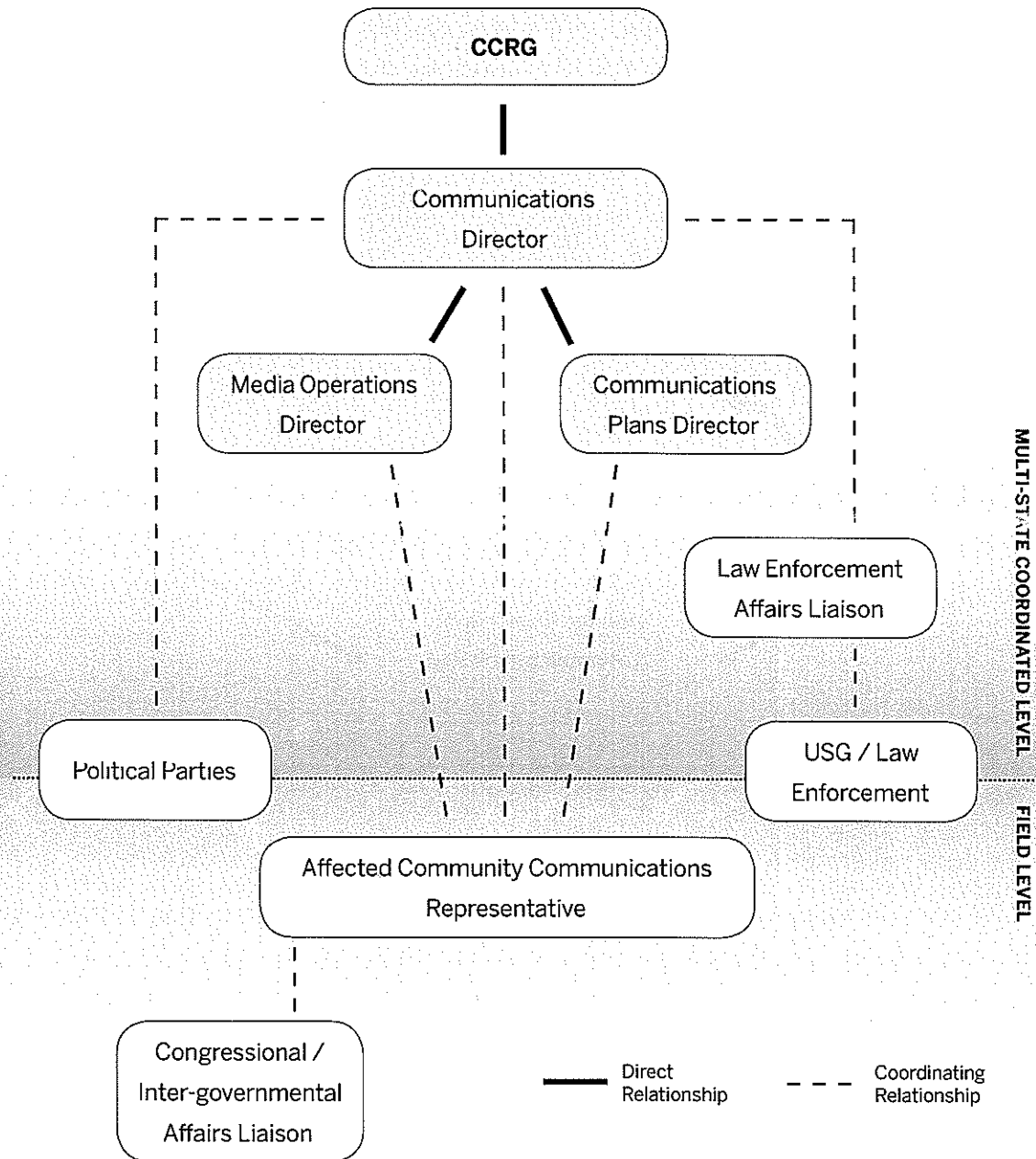
The ESIC would be stood up by the Communications Director, who would make a determination as to the critical personnel needed, as well as the location/online.

The CCRG, as part of steady-state planning, should identify both likely and convenient physical locations where an ESIC could reside should it be needed, as well as functional online collaboration tools to use in the event of a remote ESIC. In general, it is advisable to co-locate the ESIC with any space that is being used to coordinate operational response activity.

Current Coordination Processes

Should there be current coordination processes that are effective in sharing information, such as regular calls or email listservs, continue to use them—particularly prior to, or during the beginning phases of, activation. However, the scope and volume of an incident may make more direct communications, such as via the ESICCL or ESIC, more useful.

Lines of Coordination

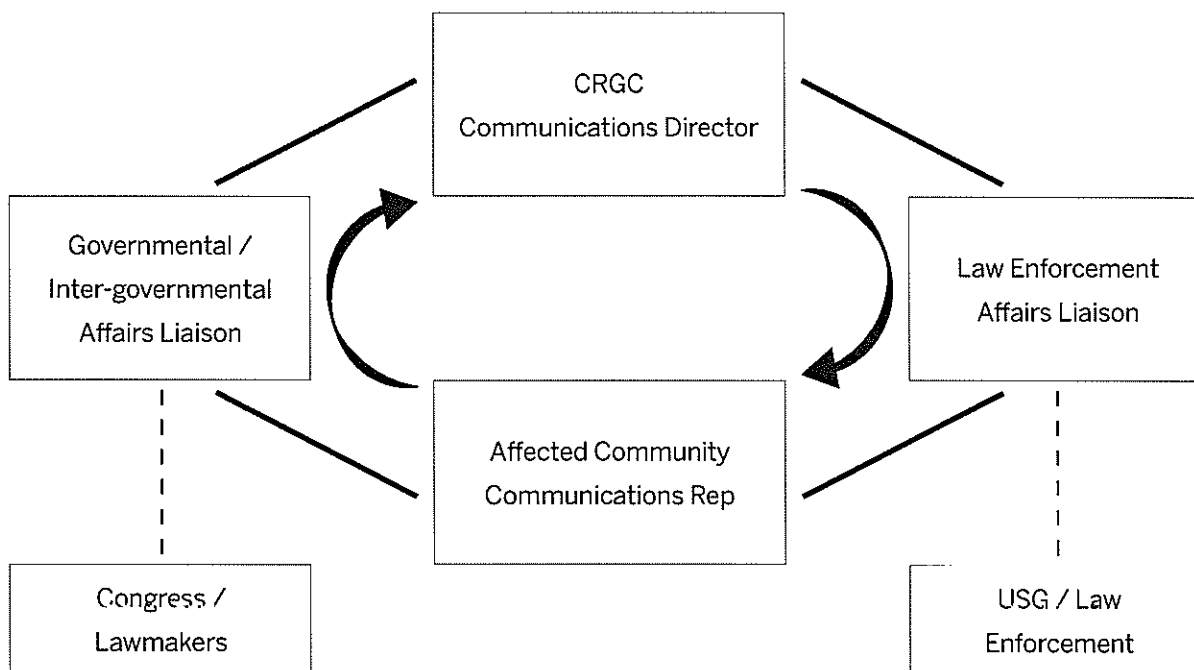


Phase 3: Message/Document Drafting, Coordination, and Distribution

Message/Document Drafting and Coordination

It is best to have some communications materials ahead of time; however, every incident is different and depends on a range of factors, so communicators will oftentimes have to adapt on the fly.

Messaging will need to be adapted, drafted, coordinated, and distributed quickly in order to effectively respond. In addition to the coordination resources, mechanisms, and processes described above, the diagram below shows how that loop may work practically, in and among the various parties who will be speaking publicly.

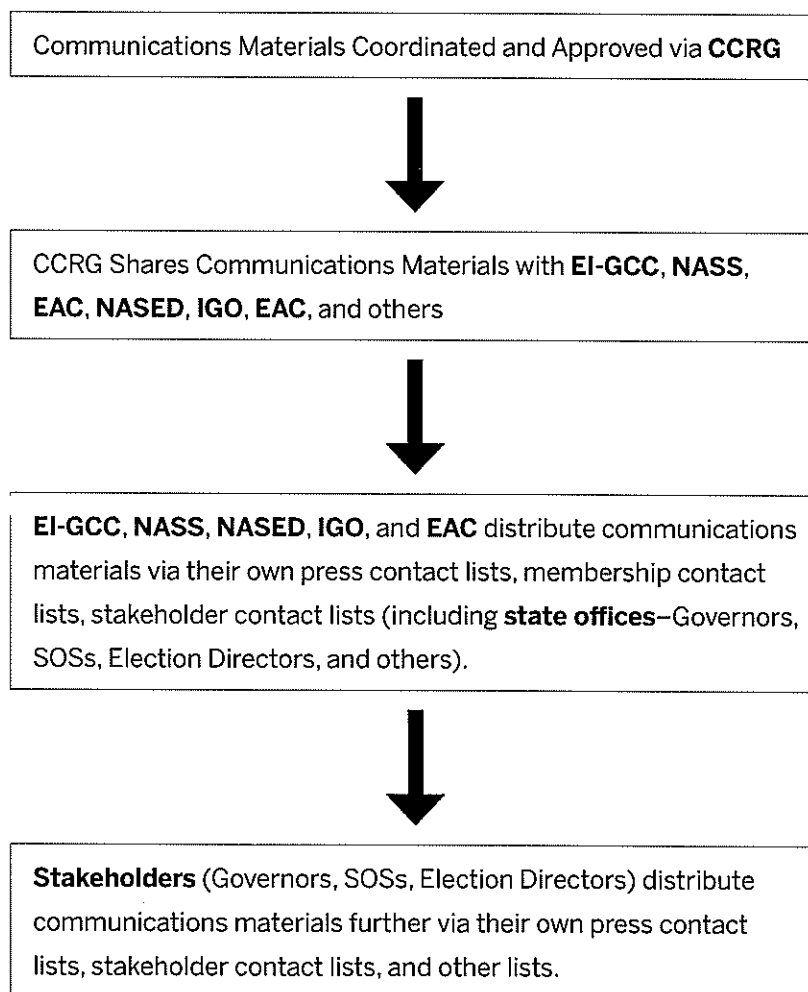


The CCRG staff will not necessarily retain authority to approve messages emanating from affected communities' communications staffs, nor vice versa; however, the CCRG staff can provide message guidance when needed or warranted. In addition, key inputs should be sought from Congressional/Inter-governmental Affairs and Law Enforcement Liaisons, and approval authority can be retained by those communicators with whom these liaisons work at their home agencies or organizations.

Distribution

Distribution of approved communications materials to the public and other stakeholders should leverage, and mirror, existing processes to the degree possible. The CCRG, by virtue of its makeup, with communications professionals from a variety of relevant organizations, should coordinate the messaging, but largely leave distribution to the organizational members.

A sample distribution process is illustrated below:



Phase 4: Evaluation and Feedback

Incorporating both real-time evaluation and feedback, as well as post-incident after-action reviews into your response is critical to both the response you are currently managing, and capturing lessons learned for the future.

Real-Time Evaluation

While capabilities and resources may differ greatly among affected communities, the CCRG could augment these by providing services that can assist the holistic communications response, including:

Media Monitoring—It is critical to understand how the media tone is shaping up. Media monitoring should be compiled at least daily, providing insight on tone and volume and identifying areas for further concentration or strategic/tactical communications changes.

Social Media Analysis—Similar to traditional media monitoring, social media listening tools and analysis can provide key insight into which messengers are driving conversation about the incident, as well as how voters are reacting to news and sharing information.

Call Center Analysis—If the affected community has a voter call center, it is important to track and analyze the questions and comments received. This information can be a key indicator of misinformation or provide insight into where efforts need to be expanded to get accurate information to voters.

Polling/Public Opinion Research—In order to gain more in-depth insights, polling or public opinion research can do much in terms of uncovering voter reactions to an election-related cyber incident, helping shape near and longer-term strategy.

After-Action Review and Report

Once an incident has concluded, it is important to review communications-related activities, discuss what worked and didn't work, and document those lessons to be incorporated into both steady-state and crisis planning.

Many of the coordination resources and mechanisms described above can be adapted for this purpose, for example the ESICCL call. The after-action process should analyze the incident from start to finish, examining the Plan-Prepare-Respond-Recover communications lifecycle of that incident.

Your after-action report should include:






- A summary of the incident;
- an overview of the operational response;
- the communications objectives;
- and by phase, with specificity:
 - concern
 - outcome
 - recommendations

This after-action process will assist in building your communications response capability and coordination in a resilient process that can be more effectively utilized when facing future incidents.

Communications Coordination and Response Checklist

This checklist will help guide actions prior to, and through, the first several days of a multi-state election-related cyber incident.

There are five lists:

-  **Before a cyber crisis**
-  **Before a cyber crisis becomes public**
-  **Multistate Election-Related Cyber Incident Assessment & Activation**
-  **Coordination/Communications Outreach**
-  **Products**

Before a cyber crisis

- ☐ Identify office protocol and a crisis communications team. (Should include IT).
- ☐ Create a list of terms with common nomenclature for use by all stakeholders.
- ☐ Set an internal communication plan with elections staff. (How often, when, and where will all staff meet? Information must travel up and down the chain of command with clear boundaries for disseminating information and interfacing with the public/media.)
- ☐ Ensure that all stakeholders can be reached in a crisis without access to networks or smart phones.
- ☐ Craft communications materials that can be used in a potential cyber incident. (For examples, elections officials may request sample materials from NASS, NASED, or the EAC.)
- ☐ Ensure that staff understand their role in a cyber incident. For those who do not have a specific role, ensure they understand why their work matters to the outside world and how they can continue doing their jobs while designated managers handle the cyber incident.
- ☐ Ensure that communications plans can be accessed and are regularly updated.



Before a cyber crisis becomes public

- ☐ Obtain technical briefing. (Assess and verify all information.)
- ☐ Decide whether to activate CCRG.
- ☐ Decide whether website can remain online. If you must disable it, launch a microsite (hosted on a different network) in its place.
- ☐ If email is potentially compromised, use an outside communications channel.
- ☐ Consult authorities, if needed.
- ☐ Meet internally in war room; set internal communication schedule.
- ☐ Determine CCRG roles and responsibilities, if you have not done so already.
- ☐ Assess stakeholders.
- ☐ Determine broad communications strategy.
- ☐ Prepare holding statement.
- ☐ Develop communications plan.
- ☐ Draft additional communications required to execute plan, including a communications rollout plan (includes communication with media, stakeholders, and employees).
- ☐ Establish plan for traditional and social media monitoring.
- ☐ Establish media response protocol.
- ☐ Notify affected employees, if necessary. It may be that only a small group of employees are informed initially. Communicate internally, as needed.
- ☐ Notify stakeholders (See list on reverse page), if appropriate, and galvanize support.



Multistate Election-Related Cyber Incident Assessment & Activation

- ☐ Notification to, and activation by CRCG, of a cyber-related incident or threat.
- ☐ Situation Assessment/Escalation.
 - ☐ **High-Intensity Incident:** Cyber-related incident that triggers reporting obligations, or one that is highly visible requiring response.
 - ☐ **Medium-Intensity Incident:** Cyber-related incident resulting in the loss or compromise of the data or systems, but no formal reporting obligations are triggered. There may be some awareness of the incident, however, spurring proactive communication.
 - ☐ **Low-Intensity Incident:** Cyber-related incident resulting in minor disruptions that may not be visible to public.
- ☐ If Major or Moderate, Media Operations Director and Communication Plans Director identified by Communications Director.
- ☐ Additional Relevant Personnel identified.
- ☐ Contact information for Relevant Personnel distributed.
- ☐ CRCG designates spokesperson, if applicable.
- ☐ Depending on assessment of situation, key messages determined based on specific scenario.



Coordination/Communications Outreach

- ☐ Communications Director activates ESICCL call.
- ☐ Incident Overview.
- ☐ Affected Communities Communications Representative Update.
- ☐ Initial Response Communications Plan.
 - ☐ Designate spokesperson based on type of incident, geography(ies) affected, and scope. In a Major Incident, the spokesperson role may include several people including a EI-GCC representative as well as an Affected Community spokesperson as well to share information at both a field and national level. In a Minor Incident, a single spokesperson may suffice, i.e. an Affected Community spokesperson.
 - ☐ Prep designated spokesperson for media engagement. This includes review of relevant facts and messaging as well as a peer review session, known as a "murder-board."
- ☐ Congressional/Inter-governmental Affairs Update.
- ☐ Congressional/Inter-governmental Affairs activity and plans.
- ☐ Law Enforcement Liaison Update.
- ☐ Law Enforcement Liaison activity and plans.
- ☐ Messaging Coordination outlined by Communications Director.
- ☐ Battle Rhythm (Daily Schedule).
- ☐ Conclusion & Next Steps.
- ☐ Communications Distribution & Rollout.
- ☐ ESIC activation, if necessary.



Products

- ☐ Staffing Plan with updates for Communications Director.
- ☐ Battle Rhythm (Daily Schedule).
- ☐ Staffing Matrix and Organization Chart.
- ☐ Communications Plan.
- ☐ Advisories.
- ☐ Press Releases.
- ☐ Traditional and Social Media Monitoring Reports.
- ☐ Regular/Daily update on response activities.
- ☐ Blog and Social Listening Updates.
- ☐ Talking Points.
- ☐ Website updates.
- ☐ Congressional/Inter-governmental Advisories, fact sheets, operations reports and briefing materials.
- ☐ Daily Communication Summary to include next day activity plans.

Conclusion

As we head into the next election cycle, we hope that this Guide provides additional tools to help the EI-GCC, and by extension election officials across the country, prepare for, and manage, this emerging and evolving cyber risk. As with all communications plans, we recommend that this one be regularly updated by the EI-GCC, as the council further develops and defines its role.

More information is available on different types of communications materials for responding to a cyber incident. Election officials seeking examples of these additional materials can request the communications materials appendix to this document from NASS, NASED, or the EAC.

Do you see a way to make this Playbook better?

Are there new technologies or vulnerabilities we should address?

We want your feedback.

Please share your ideas, stories, and comments on Twitter @d3p using the hashtag #electionplaybook or email us at connect@d3p.org so we can continue to improve this resource as the digital environment changes.

Defending Digital Democracy Project

Belfer Center for Science and International Affairs

Harvard Kennedy School

79 John F. Kennedy Street

Cambridge, MA 02138

www.belfercenter.org/D3P

Copyright 2018, President and Fellows of Harvard College

Illustration icons from the Noto Emoji project, licensed under Apache 2.0.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State


ELECTION ADVISORY **NO. 2018-21**

TO: County Clerks/Elections Administrators, State and County Chairs

FROM: Keith Ingram, Director of Elections

DATE: May 21, 2018

RE: Canvass and Recount Filing Deadlines for 2018 Primary Runoff Elections



Canvass Dates

The county chair, and if available, at least one member of the county executive committee must conduct the local canvass on Thursday, May 31, 2018, at the hour specified by the county chair. The notice of the canvass include the date, time and location of the canvass and must be posted on the county party website or on the commissioner's court bulletin board if the party does not maintain a website. TEX. ELEC. CODE § 172.116. This notice should be posted no later than Monday, May 28, 2018 in order to meet the posting requirements. The local canvass is concluded when the county chair digitally certifies the canvass report on the Secretary of State's website. TEX. ELEC. CODE § 172.116(d). The state chair must canvass the county election returns no later than Saturday, June 9, 2018. TEX. ELEC. CODE § 172.120. This advisory is designed to be read together with the more detailed online recount outline. See Election Advisory No. 2017-07.

The county election officials may begin entering county data into the website as early as Wednesday, May 23, 2018 if there are no outstanding provisional ballots or ballots by mail. Otherwise, the county election officials should plan on beginning this process by Tuesday, May 29, 2018 (due to the 5th day falling on Sunday, May 27, 2018 and Monday, May 28, 2018 is Memorial Day, a legal state holiday).

Recount Filing Deadlines

The deadline for requesting a recount is 5:00 p.m. of the 2nd day after the final canvass is actually conducted. Tex. Elec. Code § 212.028. For all county and precinct races, (1) the final canvass is the local canvass; and (2) the filing authority is the county chair (presiding officer of the final canvass). For all district (including single-county districts) and statewide races, (1) the final canvass is the state canvass; and (2) the filing authority is the state party chair (presiding officer of the final canvass).

County and Precinct Races:

Local Canvass	Filing Deadline
Thursday, May 31, 2018	5:00 p.m. Monday, June 4, 2018 (Extended by Section 1.006 to next business day)

Statewide and District Races:

The deadline to request a recount for a statewide or district office is 5:00 p.m. of the second day after the final canvass. The state canvass must be conducted by Saturday, June 9, 2018. TEX. ELEC. CODE § 172.120. Contact the state executive committee for information about when their scheduled canvass is due to take place.

REMINDER ON TIE VOTES AND AUTOMATIC RECOUNTS: If the candidates in a runoff election tie, pursuant to **Section 2.028**, a tying candidate may resolve the tie by filing with the presiding officer of the final canvassing authority a written statement of withdrawal signed and acknowledged by the candidate. On receipt of the statement of withdrawal, the remaining candidate is the winner. If there is no signed and acknowledged withdrawal delivered to the presiding officer of the **final** canvassing authority, then an automatic recount shall be conducted in accordance with Chapter 216. If the recount does not resolve the tie, the tied candidates shall cast lots to determine the winner. (Please note that Section 2.023 applied to the March 6, 2018 primary; **Section 2.028** applies to the May 22, 2018 **primary runoff**. The sequence of events is slightly different in each section.)

For additional information on recounts, such as petition requirements and deposit calculations, please see the [recount outline](#) and [forms](#) posted on our website. You may also contact our office via telephone or email to request copies.

Please contact us at 1-800-252-VOTE (8683) if you have any questions.

KI:KR:CG

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, May 23, 2018 10:56 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Reasonable Impediment Declarations

Hello Everyone,

Thank you for your hard work this month as we completed the local elections and now the Primary Runoff. Your hard work is the reason that elections work so well in Texas.

I am sending this to remind you to send copies of the **reasonable impediment declarations** used by voters in the runoff election to our office. You can scan them in and email them to elections@sos.texas.gov. Please let me know if there are any problems in this regard.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov
www.votetexas.gov




Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY

N0. 2018-22

TO: County Clerks/Elections Administrators and County Chairs

FROM: Keith Ingram, Director of Elections 

DATE: May 21, 2018 Primary Election

RE: Partial Manual Count after the May 22, 2018 Primary Election

Pursuant to Section 127.201(a) of the Texas Election Code (the "Code"), the general custodian of election records in an election in which an electronic voting system is used must conduct a partial manual count. The partial manual count is not waived for the May 22, 2018 Primary Election.

The partial manual count applies to election day ballots only.

The partial manual count is only required for counties that automatically tabulated their election day ballots using an optical/digital scanner. Optical/digital scanners are either precinct ballot counters or central scanners. Therefore, entities that used only direct recording electronic voting machines (DREs) or hand counted their ballots on election day are not required to conduct the partial manual count. TEX. ELEC. CODE § 127.201(a), (g).

The Secretary of State is required to select the precincts and designate no more than three offices to be manually counted. Upon logging into the online system, you will be notified of the races/precincts requiring a partial manual count. You may log in any time after the polls have closed for the primary election.

Please follow these instructions for completing your partial manual count:

1. Post notice of the date, hour, and place of the count in your office (office of the general custodian of election records.) We recommend that the notice should be posted in your office and the bulletin board used for posting county notices.
2. Begin the manual count no later than 7 p.m., Friday, May 25, 2018, and complete the manual count no later than Tuesday, June 12, 2018.
3. Report results of the partial manual count to the Secretary of State:
 - a. Click on the following link:
<https://webservices.sos.state.tx.us/manualcount/index.asp>

- b. Enter in your county user name. Your user name is the name of your county in all lowercase letters. If your county name is more than one word, you would need to leave out the spaces between the words (ex. sanjacinto).
- c. A temporary password will be emailed to you separately. You will be required to create a new password before proceeding to complete the manual count.
- d. Follow the prompts. You will first be asked a few questions which will determine whether you are one of the counties that does not need to conduct the partial manual count.
- e. Enter results of the partial manual count. The instructions for reporting the partial manual count will be available once you access the online system. Note: Any discrepancies found between electronic and manual count totals should be noted in the discrepancy field provided online.
- f. Print the online page for your records and exit the program.

If more than one electronic voting system is used for a precinct, the manual count must include counts from all systems. You may, but are not required to, hire outside help to assist you in this task.

You are not required to petition a district judge for permission to retrieve the ballots, since this is a procedure that is required by law. At the time you have designated to begin the manual count, you should arrange access to the ballots for the selected precincts. Following the manual count, all election materials shall be re-secured and returned to the appropriate authority.

Please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov or Brad Burnett at 512-463-2484 or bburnett@sos.texas.gov, if you have any questions in conducting your partial manual count or if you experience any problems entering your data.

KI:CA

Alexy Rios

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Tuesday, June 05, 2018 5:43 PM
To: Elections Internet
Subject: MASS EMAIL ADVISORY-CC/EA (658) -2018-23 - Precinct by Precinct Report
Attachments: ADV2018-23 - Precinct by Precinct Report - May 22,, 2018 Primary Runoff Election.pdf

Dear Election Officials:

Attached to this email you will find **Advisory 2018-23 --Precinct by Precinct Report for the May 22, 2018 Primary Runoff Election**. You are required to complete the precinct by precinct report and submit it to our office. Instructions on how to use the system are included in the advisory. Your password will be emailed to you separately.

Please let us know if you have any additional questions or concerns.

Christina Worrell Adkins

Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY

N0. 2018-23

TO: County Clerks/Election Administrators and County Chairs
FROM: Keith Ingram, Director of Elections
DATE: June 4, 2018
RE: Precinct by Precinct Report for May 22, 2018 Elections

A handwritten signature in black ink, appearing to read "Keith Ingram".

After the canvass has been completed, you will need to complete the **precinct-by-precinct report**. All election results are required to be submitted to the Secretary of State pursuant to Section 67.017 of the Texas Election Code.

Information for logging into the system:

1. You may access the online reporting system by clicking on this link:
<https://efm.sos.state.tx.us/votaccount/signon.asp>.
2. The temporary password will be emailed to you. If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

Information for entering in your precinct-by-precinct results:

1. **You should not input your results until after you have canvassed your election.** The report is meant to capture final election results.
2. **You must include both the early votes and election day votes by precinct for all races reported.**
3. We have designed three methods by which you can submit this report to our office:
 1. You can upload your results through the link above via the Secretary of State defined Excel spread sheet and attach it to a web browser;
 2. Upload the spreadsheet using a web browser (confer with your vendor for specific details);
 3. You can "build" your own report by inputting your precinct returns directly into the system.

The instructions for inputting results are online.

4. **The precinct by precinct returns are required to be filed not later than 30 days after the election.**

If you have problems with your password, or need it reset, please contact Tiffany Owens at 512-463-9858 or towens@sos.texas.gov, or Bradley Burnett at 512-463-2484 or bburnett@sos.texas.gov.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, June 26, 2018 9:38 AM
To: Elections Internet
Cc: Information Security
Subject: MASS EMAIL--CC/VR/EA--Email Phishing Warning

Hello Everyone,

The Office of the Texas Secretary of State (SOS) has recently been informed of a potential phishing email campaign targeting Texas county election officials.

This type of attack uses fraudulent email in an attempt to obtain sensitive information, including usernames and passwords, from their designated target(s). This is usually accomplished by spoofing, or forging, legitimate email addresses to gain a user's trust and then directing the user to click on an embedded link within the body of the email or an attachment to the email.

We are aware of at least one county that has received phishing email appearing to come from members of SOS Elections staff. Closer examination shows that the sender information was spoofed and the email came from a malicious third party.

Please exercise extreme caution before clicking on attachments or links within email messages. If you receive an email that looks legitimate, but has an unfamiliar subject line or supplies you with an embedded link, **please do not click on it!** Rather, reach out to our office and verify that the communication was from us or contact InformationSecurity@sos.texas.gov to request assistance.

Thank you for your time and have a great day!

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Christina Adkins <CAkins@sos.texas.gov>
Sent: Friday, July 20, 2018 11:32 AM
To: Elections Internet
Subject: MASS EMAIL - (CC/EA/VR -929) - - Election Security Response

Dear Election Officials,

This past week, we have received a number of calls and emails related to election security. Below is the information we provide that outlines the security measures that are in place through state laws, regulations and SOS prescribed procedures. We wanted you all to be aware of the response we are giving. Additionally, we hope this information will help you address any questions you may be getting related to election security.

There is no evidence that any voting or voter registration systems in Texas were compromised before the 2016 Election or in any subsequent elections. Additionally, The Department of Homeland Security has offered a [statement](#) reiterating this fact as well. Election security is a top priority for our agency as we continue to employ effective and forward-thinking cybersecurity measures to further strengthen our state's elections systems and safeguard against any malicious cyber activity. We have worked to educate our election officials through both in person training and written materials on the numerous protections that are in place and are required by state law.

These safeguards include:

- No voting system is ever connected to the internet at any point - either when votes are being cast or when they are being counted. (Section 129.054 Texas Election Code)
- Only software certified by the Texas Secretary of State can be loaded on a computer used for counting or accumulating vote totals. (Section 129.055, Texas Election Code)
- Before and after use each day, all voting systems are sealed with locks and with seals with unique serial numbers, and all election workers must follow proper chain of custody procedures during the election, including a careful tracking of the serial numbers used to seal the machines at the end of each period of voting. (Secs. 129.051, 129.053, Texas Election Code)
- While voting is occurring, election judges are required to periodically inspect the equipment to ensure there is no tampering or damage to the equipment (Section 125.005, Texas Election Code).
- All voting systems are tested three times, twice before the machines are used in the election and once immediately after. The tests consist of a deck of ballots being voted on the machines and then tabulated to ensure that the machine results are correct and match the test stack of ballots. The machines cannot be used or deployed until the test is 100% successful. Note that one of the tests conducted before the machines are used in an election is open to the public, and notice of this test is published in a local paper. Each political party has the right to submit names of individuals to represent that party on the testing board and thus every county usually has a testing board that consists of at least one person from each political party. (Sec. 129.023 and Subchapter D, Chapter 127, Texas Election Code).
- The election worker at the polling place (both during early voting and election day) must confirm that there are zero votes cast at the opening of voting and at the end of voting they must compare the number of ballots cast to the number of voters that have checked-in on the poll list. (Advisory 2014-06, 127.068, Texas Election Code)
- Background checks are required for all personnel that prepare, test or service all voting system equipment. (Sec. 129.051, Texas Election Code)

- Poll watchers are allowed to observe at all early voting and election day polling locations and at the central counting or accumulation station where ballots are being counted or vote totals accumulated. (Chapter 33, Texas Election Code)
- A post-election audit (partial manual count) is required for all elections that have paper ballots. (Sec. 127.201, Texas Election Code).
- The Secretary of State has the authority to conduct a manual or electronic recount of any election using electronic voting systems (Sec. 127.202, Texas Election Code).

Most of this is outlined in Section 5 of the Electronic Voting System Procedures Advisory 2014-06 located [here](#).

Our office has also taken the following steps to further strengthen election infrastructure security in the State of Texas:

- Established effective communication protocols with the Department of Homeland Security (DHS) to coordinate cybersecurity monitoring and response.
- Engaged in a pilot program with DHS and the Multi-State Information Sharing & Analysis Center (MS-ISAC), which helped develop and improve information sharing protocols between the federal government and the states in the realm of election security.
- Instituted multi-factor authentication for election officials to ensure that only those who are authorized to do so can gain access to the statewide voter registration database.
- Installed an active Albert sensor on our voter registration database that alerts our agency when any suspicious cyber-activity occurs.
- Submitted our proposal to the U.S. Election Assistance Commission (EAC) for implementing new cybersecurity and election security measures – both at the state and local levels – using funds from the 2018 HAVA disbursement to states for election security.

Additionally, Texas' Director of Elections, Keith Ingram, testified on Texas' election security during a Texas Senate Select Committee on Election Security hearing on February 22, 2018. You can watch the video [here](#) to learn more details about our office's work to enhance the security of Texas' election infrastructure.

As always, our Elections and Information Technology officials are working tirelessly to ensure that every eligible Texas voter can cast a ballot with confidence. If you have any additional questions, please let us know.

Below are the full text of selected Election Code provisions that relate to election security.

- Pre-Election Security Procedures: Subchapter C, Chapter 129 outlines our general voting system security procedures.

Sec. 129.051. Pre-election security procedure.

- (a) The general custodian of election records shall create and maintain an inventory of all electronic information storage media.
- (b) The general custodian of election records shall develop a procedure for tracking the custody of each electronic information storage medium from its storage location, through election coding and the election process, to its final post-election disposition and return to storage. The chain of custody must require two or more individuals to perform a check and verification check whenever a transfer of custody occurs.
- (c) The general custodian of election records shall establish a secured location for storing electronic information storage media when not in use, coding a medium for an election, transferring and installing the medium into voting system equipment, and storing voting system equipment after election parameters are loaded.
- (d) An election information storage medium shall be kept in the presence of an election official or in a secured location once the medium has been coded for an election.
- (e) The general custodian of election records shall create a procedure for tracking the custody of voting system equipment once election parameters are loaded.

(f) The general custodian of election records shall create a recovery plan to be followed if a breach in security procedures is indicated. This plan must include immediately notifying the secretary of state.

(g) The general custodian of election records shall conduct a criminal background check for relevant election officials, staff, and temporary workers upon hiring.

Sec. 129.052. Transport of voting system equipment. (a) The general custodian of election records shall adopt procedures for securely storing and transporting voting system equipment. The procedures shall include provisions for locations outside the direct control of the general custodian of election records, including overnight storage at a polling location. Procedures relating to the chain of custody must require two or more individuals to perform a check and verification check whenever a transfer of custody occurs.

(b) The general custodian of election records shall create a recovery plan to be followed if a breach in security procedures is indicated. This plan must include immediately notifying the secretary of state.

(c) The general custodian of election records shall provide a training plan for relevant election officials, staff, and temporary workers that addresses the procedures authorized under this section.

Sec. 129.053. Access to voting system equipment. The general custodian of election records shall secure access control keys or passwords to voting system equipment. Use of access control keys or passwords must be witnessed by one or more individuals authorized to use that information. The use of an access control key or password must be documented and witnessed in a log dedicated for that purpose that is retained until the political subdivision disposes of the equipment.

Sec. 129.054. Network connections and wireless technology. (a) A voting system may not be connected to any external communications network, including the Internet.

(b) A voting system may not have the capability of permitting wireless communication unless the system uses line-of-sight infrared technology that shields the transmitter and receiver from external infrared transmissions and the system can only accept transmissions generated by the system.

Sec. 129.055. Equipment and software. The sole purpose of voting system equipment is the conduct of an election, and only software certified by the secretary of state and necessary for an election may be loaded on the equipment.

Sec. 129.056. Plan for machine failure. The general custodian of election records shall create a contingency plan for addressing direct recording electronic voting machine failure. This plan must include the timely notification of the secretary of state.

Sec. 129.057. Use of machine in early voting. A direct recording electronic voting machine deployed for early voting may not be deployed on election day

- In the polling place: Chapter 125 of the Texas Election Code provides procedures on inspecting equipment at the polling place before the polls open, during the course of the election, and after the polls close.

Sec. 125.005. Maintaining security of equipment during voting. (a) The presiding judge shall periodically have an election officer inspect the voting system equipment for tampering and damage while voting is in process.

(b) If any tampering or damage is discovered, the inspecting officer shall immediately stop use of the equipment and report to the presiding judge, who shall promptly take appropriate action.

Sec. 125.061. Inspecting equipment at polling place. (a) Before opening a polling place for voting on election day, the presiding judge shall inspect any electronic voting system equipment installed at the polling place to determine whether it is installed and functioning properly.

(b) The presiding judge shall take appropriate corrective action if the equipment is not installed or functioning

properly.

Sec. 125.063. Securing equipment on close of voting. On the close of voting at each polling place at which electronic voting system equipment is used, an election officer shall secure or inactivate the equipment as prescribed by the secretary of state so that its unauthorized operation is prevented.

Thank you for all of your hard work and dedication to elections. Please let us know if you have any questions or concerns. We are always happy to assist in any way that we can.

Thank you,

Christina Worrell Adkins

Legal Director -- Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, July 25, 2018 2:09 PM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA--2018 EAVS survey
Attachments: 2018 EAVS.PDF

Hello Everyone,

I am excited to share with you the 2018 edition of the EAVS survey. This is the survey that will have to be completed after the election this November. If you have been doing this a while you will notice some differences. I have been working with Ann McGeehan and a group sponsored by the Council of State Governments and the Federal Voting Assistance Program to improve this survey. We have worked on the instructions, the questions and the format. The main difference for this year's survey is that the instructions are integrated with the questions instead of in a separate document. Hopefully this will make it easier for you as you go through the survey.

The goal of these changes as well as sending it out now is to improve the quality of the data received. This is an open book test with lots of time for you to ask about what is being sought and where to get the data. Importantly, we will have folks from FVAP and the EAC at the seminar next week. It would be very helpful if you could look through the survey and come to the seminar ready to ask them specific questions about the survey and what they expect.

Thank you very much for your partnership in this effort. Better data gives better insight into what is actually happening in elections across the country. Let me know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, August 03, 2018 4:22 PM
Subject: Mass Email -- CC/EA/VR -- Cybersecurity Survey and Contact Information

Dear County Election Officials,

Pursuant to HB 8 (85th Legislature RS 2018), the Texas Secretary of State's office has been charged with completing a report to the legislature on Election Cybersecurity. As part of the report, we are required to provide information about the vulnerabilities and risks associated with county voting systems. To assist our office in gathering data for this report, we have prepared a short survey on **County Election and Information Security practices**. This survey is anonymous and your participation is optional. We hope that you would please consider taking a few minutes of your time to complete the survey as it will help us get a better picture of the security practices that are in use in our Texas Counties.

The survey should take approximately 10 minutes to complete. To begin the survey, please click this link: <https://www.surveymonkey.com/r/2018-texas-security-survey>.

Additionally, we are building a list of email contacts for relevant county IT staff. If you or someone in your office would like to receive emails and information from our IT department related to security, please completed the following questionnaire [Technical Contacts for SOS Updates](#).

Thank you for your assistance. If you have any additional questions or concerns, please contact us at electionsecurity@sos.texas.gov.

Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, August 07, 2018 10:48 AM
To: Elections Internet
Subject: FW: MASS EMAIL--CC/VR/EA/--Securing the Texas Election Systems
Attachments: Quad9.pdf; Belfer Communications Guide.pdf; Belfer Campaign Playbook.pdf; Belfer State and Local Playbook.pdf; CIS Elections Handbook.pdf; MS-ISAC Services Guide.pdf; DHS Resource Guide.pdf

Hello Everyone,

As we mentioned at the seminar last week, we sent an email back in May with security services and ideas. I am resending it and encouraging everyone who hasn't done so yet to please join the EI-ISAC highlighted below. I will forward a couple of email alerts that the EI-ISAC sent out earlier this year separately so you can see the kind of information that you can be receiving from them for free. Your county IT folks will want to join the MS-ISAC for more technical information on threats.

As we also mentioned, be very alert to phishing attempts in your email. If you have any questions about any email, please send it to our IT security folks at electionsecurity@sos.texas.gov.

Keith

From: Elections Internet
Sent: Wednesday, May 16, 2018 2:38 PM
To: Elections-Attorneys <Elections-Attorneys@sos.texas.gov>
Subject: MASS EMAIL--CC/VR/EA/CSO--Securing the Texas Election Systems

Hello Everyone,

As you know, the 2016 election and events since then have caused heightened interest in ensuring that elections are secure. Local election officials have responsibility for insuring both the cybersecurity and physical security of data and equipment used in administering elections. The elections division and the IT division here at the Secretary of State have compiled a list of resources available at no cost that will be beneficial to you as you enhance the security of elections in Texas. We will continue to be on the lookout for additional resources for you to use in this important endeavor.

- The non-profit Center for Internet Security (CIS) operates both the Elections Infrastructure Information Sharing and Analysis Center (EI-ISAC), and Multi-State Information Sharing and Analysis Center (MS-ISAC). These organizations provide timely and useful cybersecurity alerts. They seek to gather information from individual member organizations and share anonymized analysis and recommendations back to the entire membership. EI-ISAC products are tailored to the needs of the election community, while MS-ISAC products are suited for the wider state and local government audience. Both organizations provide a wealth of free and low-cost resources. CIS provides a Handbook for Elections Security that is geared toward a more technical audience. **We strongly recommend that you take full advantage of these resources by joining the EI-ISAC and MS-ISAC.**
 - EI-ISAC: <https://learn.cisecurity.org/ei-isac-registration>
 - MS-ISAC: <https://www.cisecurity.org/ms-isac/>
 - CIS Handbook for Elections Security: <https://www.cisecurity.org/elections-resources/>

- The U.S. Department of Homeland Security also offers many no-cost services and resources to state and local government organizations and is currently prioritizing elections infrastructure for access to their services.
➤ <https://www.dhs.gov/topic/election-security>
- The Belfer Center at Harvard has created several guides that may be helpful:
 - The State and Local Election Cybersecurity Playbook: <https://www.belfercenter.org/publication/state-and-local-election-cybersecurity-playbook>
 - The Cybersecurity Campaign Playbook: <https://www.belfercenter.org/CyberPlaybook>
 - The Election Cyber Incident Communications Coordination Guide: <https://www.belfercenter.org/publication/election-cyber-incident-communications-coordination-guide>
- The National Cyber Awareness System also offers a no-cost subscription to informational products. These products are designed to improve situational awareness among technical and non-technical audiences by providing current information on cybersecurity threats and issues.
➤ <https://www.us-cert.gov/ncas>
- The non-profit Global Cyber Alliance has partnered with major global cyber security organizations to create the Quad9 project to aid organizations in preventing their systems from being infected with malicious software as well as to combat phishing attempts (attempts to trick users into clicking on malicious links or attachments in email). By having your technical staff make a simple change to your network configuration, this service can help prevent damage to your systems. This is a relatively simple, no-cost countermeasure against Internet based malware.
➤ Quad 9: <https://www.quad9.net/>

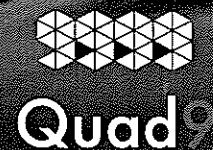
As I mentioned above, SOS technical and elections staff will continue to seek out and highlight resources that we feel may be of use to you. Look for additional information in the near future. We look forward to working together to ensure the confidentiality, integrity, and availability of Texas election systems. Please reach out to us with questions or comments at: electionsecurity@sos.texas.gov

Keith Ingram
 Director, Elections Division
 Office of the Secretary of State
 800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

INTERNET SECURITY & PRIVACY IN FOUR SIMPLE STEPS



Put your DNS to work today.

Quad9 is a free security solution that uses DNS to protect your system against the most common cyber threats. It improves your system's performance plus it preserves and protects your privacy.

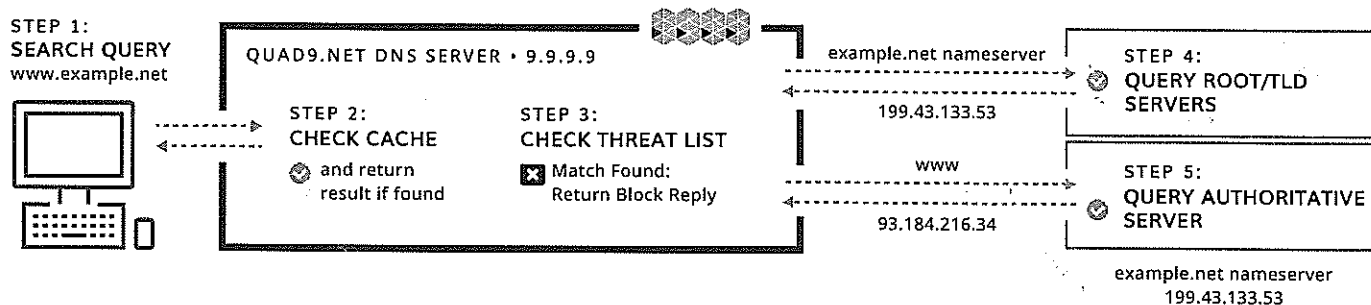
It's like an immunization for your computer.

What is DNS?

Every website has a numerical address – known as an IP (Internet Protocol) address. DNS (Domain Name Server) is what translates these numerical IP addresses into readable domain names we all know and remember. If your DNS settings are not working correctly, or you're using the default setting, you may be at risk for cybercrime and performance issues.

How Quad9 Works

Quad9 routes your DNS queries through a secure network of servers around the globe. The system uses threat intelligence from more than a dozen of the industry's leading cyber security companies, to give a real-time perspective on what websites are safe, and what sites are known to include malware or other threats. If the system detects that the site you want to reach is known to be infected, you'll automatically be blocked from entry – **keeping your data and computer safe.**



IN COLLABORATION WITH



GLOBAL
CYBER
ALLIANCE

► Quad9.net

AMERICAN
OVERSIGHT

Who Should Set Up Quad9?

Setting up Quad9 requires just a simple configuration change. Most organizations or home users can update in minutes by changing DNS settings in the central DHCP server or home internet router which will update all clients and connected devices in a few minutes with no action needed at end devices at all. The service is and will remain freely available to anyone wishing to use it. Here are a few of the benefits:



INDIVIDUALS:

Increase your security, protect your devices, and reduce your risk of becoming a victim of cyber crime.



BUSINESS USERS:

Better secure your network, protect your digital assets and customers, reduce the risk of malicious threats such as email fraud, malware and ransomware.



THREAT INTELLIGENCE PROVIDERS:

Collaborate with a global community of peers to take action on cybercrime and malware.



APPLIANCE MANUFACTURERS:

Ensure your IoT products aren't putting consumers at risk through unknown vulnerabilities. Block botnet command-and-control requests before they cause harm!



Security:

A combined pool of malicious sites from more than 18 leading vendors and sources.



Privacy:

Quad9 does not collect any personally identifiable information.



Performance:

A global service with an infrastructure to match.



Free and easy to use:

Free and easy to set up. A few minutes is all it takes to configure your devices.

To learn more, including how easy it is to set up Quad9 for your DNS service, visit the website at [Quad9.net](https://quad9.net).

IN COLLABORATION WITH



► [Quad9.net](https://quad9.net)



Quad9

The Cybersecurity Campaign Playbook



HARVARD Kennedy School
BELFER CENTER
for Science and International Affairs

DEFENDING DIGITAL DEMOCRACY
MAY 2018

Defending Digital Democracy Project

Belfer Center for Science and International Affairs

Harvard Kennedy School

79 JFK Street

Cambridge, MA 02138

www.belfercenter.org/D3P

Statements and views expressed in this document are solely those of the authors and do not imply endorsement by Harvard University, the Harvard Kennedy School, or the Belfer Center for Science and International Affairs.

Design & Layout by Andrew Facini

Cover photo: Lena Gjokaj takes a cell phone photo of stage for the presidential debate between Democratic presidential candidate Hillary Clinton and Republican presidential candidate Donald Trump at Hofstra University in Hempstead, N.Y., Monday, Sept. 26, 2016. (AP Photo/Julio Cortez)

Copyright 2018, President and Fellows of Harvard College



The Cybersecurity Campaign Playbook

Contents

Welcome	3
Authors and Contributors	4
The Playbook Approach	5
Introduction.....	5
The Vulnerable Campaign Environment.....	7
The Threats Campaigns Face.....	8
Managing Cyber Risk	9
Securing Your Campaign.....	10
■ Top-Five Checklist	12
Steps to Securing Your Campaign	13
Step 1: The Human Element.....	13
Step 2: Internal Communication.....	17
Step 3: Account Access and Management	19
Step 4: Devices.....	22
Step 5: Networks.....	25
Step 6: Information Operations and Public Facing Communication	27
Step 7: Incident Response Planning	29

Welcome

People join campaigns for different reasons: electing a leader they believe in, advancing an agenda, cleaning up government, or experiencing the rush and adrenaline of campaign life. These are some of the reasons we got involved in politics. We certainly didn't sign up because we wanted to become cyber experts and we're guessing you didn't either.

We come from different political parties and don't agree on much when it comes to public policy, but one thing uniting us is the belief that American voters should decide our elections and no one else. Our increasingly digital way of living and working offers new ways for adversaries to influence our campaigns and elections. While you don't need to be a cyber expert to run a successful campaign, you do have a responsibility to protect your candidate and organization from adversaries in the digital space. That's why Defending Digital Democracy, a project of Harvard Kennedy School's Belfer Center for Science and International Affairs, created this Cybersecurity Campaign Playbook.

The information assembled here is for any campaign in any party. It was designed to give you simple, actionable information that will make your campaign's information more secure from adversaries trying to attack your organization—and our democracy

Most of all, we hope this resource allows you to spend more time on what you signed up for—campaigning.

Good luck.



Robby Mook

Hillary Clinton 2016 Campaign Manager



Matt Rhoades

Mitt Romney 2012 Campaign Manager

Authors and Contributors

This project was made possible by dozens of people who generously volunteered their time. Special thanks are due to **Debora Plunkett** for leading the project and **Harrison Monsky** for writing the document. We are also indebted to the people listed below who invested countless hours in reviewing drafts and providing input.

DEFENDING DIGITAL DEMOCRACY LEADERSHIP

Eric Rosenbach, Co-Director, Belfer Center

Robby Mook, Belfer Center Fellow

Matt Rhoades, Belfer Center Fellow

AUTHORS AND CONTRIBUTORS

Heather Adkins, Director, Information Security and Privacy, Google

Dmitri Alperovitch, Co-founder and CTO, CrowdStrike

Ryan Borkenhagen, IT Director, Democratic Senatorial Campaign Committee

Josh Burek, Director of Global Communications and Strategy, Belfer Center

Michael Chenderlin, Chief Digital Officer, Definers Public Affairs

Robert Cohen, Cyber Threat Analyst, K2 Intelligence

Chris Collins, Co-Founder, First Atlantic Capital

Caitlin Conley, D3P, Harvard Kennedy School

Julia Cotrone, Special Assistant, Definers Public Affairs

Jordan D'Amato, D3P, Harvard Kennedy School

Mari Dugas, Project Coordinator, D3P, Harvard Kennedy School

Josh Feinblum, D3P, Massachusetts Institute of Technology

John Flynn, Chief Information Security Officer, Uber

Siobhan Gorman, Director, Brunswick Group

Daniel Griggs, Founder and CEO, cmdSecurity Inc.

Stuart Holliday, CEO, Meridian International Center

Eben Kaplan, Principal Consultant, CrowdStrike

Greg Kesner, Principal, GDK Consulting

Dai Lin, D3P, Harvard Kennedy School

Kent Lucken, Managing Director, Citibank

Katherine Mansted, D3P, Harvard Kennedy School

Ryan McGeehan, Member, R10N Security

Jude Meche, Chief Technology Officer, Democratic Senatorial Campaign Committee

Nicco Mele, Director, Shorenstein Center

Eric Metzger, Founding Partner and Managing Director, cmdSecurity Inc.

Zac Moffatt, CEO, Targeted Victory

Harrison Monsky, D3P, Harvard Law School

Debora Plunkett, Former Director of Information Assurance, National Security Agency

Colin Reed, Senior Vice President, Definers Public Affairs

Jim Routh, Chief Security Officer, Aetna

Suzanne E. Spaulding, Senior Adviser for Homeland Security, Center for Strategic and International Studies

Matthew Spector, D3P, Harvard Kennedy School

Irene Solaiman, D3P, Harvard Kennedy School

Jeff Stambolsky, Security Response Analyst, CrowdStrike

Alex Stamos, Chief Security Officer, Facebook

Phil Venables, Partner and Chief Operational Risk Officer, Goldman Sachs

Frank White, Independent Communications Consultant

Sally White, D3P, Harvard University

Rob Witoff, Senior Security Manager, Google

BELFER CENTER WEB & DESIGN TEAM

Arielle Dworkin, Digital Communications Manager, Belfer Center

Andrew Facini, Publications and Design Coordinator, Belfer Center

The Playbook Approach

A bipartisan team of experts in cybersecurity, politics and law wrote this *Cybersecurity Campaign Playbook* to provide simple, actionable ways of countering the growing cyber threat.

Cyber adversaries don't discriminate. Campaigns at all levels—not just presidential campaigns—have been hacked. You should assume that you are a target. While the recommendations in this playbook apply universally, it is primarily intended for campaigns that do not have the resources to hire full-time, professional cybersecurity staff. We offer basic building blocks to a cybersecurity risk mitigation strategy that people without technical training can implement (although we include some suggestions that will require the help of an IT professional).

These are baseline recommendations, *not* a comprehensive reference to achieve the highest level of security possible. We encourage all campaigns to enlist professional input from credentialed IT and cybersecurity professionals whenever possible.

Introduction

Candidates and campaigns face a daunting array of challenges. There are events to organize, volunteers to recruit, funds to raise, and the relentless demands of the modern media cycle. Every staffer must anticipate unfortunate surprises like gaffes or a last-minute attack ad. Cyber attacks now belong on this list as well.

As campaigns have become increasingly digital, adversaries have found new opportunities to meddle, disrupt, and steal. In 2008, Chinese hackers infiltrated the Obama and McCain campaigns, and stole large quantities of information from both. In 2012, the Obama and Romney campaigns each faced hacking attempts against their networks and websites. In 2016, cyber operatives believed to be sponsored by Russia stole and leaked tens of thousands of emails and documents from Democratic campaign staff.

The consequences of a cyber breach can be substantial. News of a breach itself, compounded by a slow-drip release of stolen information, can derail a candidate's message for months. Attackers overloading a website can lead to lost donations at key moments. The theft of personal donor data can generate significant legal liabilities and make donors reluctant to contribute to a campaign. Destructive attacks aimed at staff computers or critical campaign servers can slow down campaign operations for days or even weeks. Cleaning up the resulting mess will divert precious resources in the heat of a close race, whether it's for president or city council.

For the foreseeable future, cyber threats will remain a real part of our campaign process. As democracy's front line, campaign staff must recognize the risk of an attack, develop a strategy to reduce that risk as much as possible, and implement response strategies for that moment when the worst happens. While no campaign can achieve perfect security, taking a few simple steps can make it *much harder* for malicious actors to do harm. Ironically, the most sophisticated state actors often choose the least sophisticated methods of attack, preying on people and organizations who neglect basic security protocols. That is our primary reason for creating this *Cybersecurity Campaign Playbook*.

In today's campaigns, cybersecurity is *everyone's* responsibility. Human error has consistently been the root cause of publicized cyber attacks, and it's up to the candidate and campaign leaders to weave security awareness into the culture of the organization. *The decisions humans make are just as important as the software they use.* Going forward, the best campaigns will have clear standards for hard work, staying on message, being loyal to the team—and following good security protocol.

Before we get into our recommendations, let's quickly frame the problem:

the **environment** in which your campaign is operating;

the **threats** your campaign will likely face; and,

the **importance** of cyber risk management.

The Vulnerable Campaign Environment

Today's campaigns are uniquely soft targets. They're inherently temporary and transient. They don't have the time or money to develop long-term, well-tested security strategies. Large numbers of new staff are often onboarded quickly without much time for training. They may bring their own hardware from home and the malware lurking on it. Events move quickly, the stakes are high, and people feel that they don't have time to care about cybersecurity. There are a lot of opportunities for something to go wrong.

At the same time, campaigns rely more and more on proprietary information about voters, donors, and public opinion. They also store sensitive documents like opposition research, vulnerability studies, personnel vetting documents, first-draft policy papers, and emails on various servers. The risks of a potential attack are increasing and so are the consequences.

THE DANGER OF AN ATTACK:

Picture this: It's a month before Election Day, and the race is tight. You arrive at headquarters early, fire up the coffee maker, get to your desk, and log into your computer. A black screen pops up, then a gruesome cartoon of your candidate, followed by a message. Your hard drives have been wiped clean. Every digital bit of information you've gathered—memos, targeting lists, balance sheets—is gone. Getting it back, you read, will cost a cool million in Bitcoin and the renunciation of a major policy position.

An unidentified group hacked into your computer months ago, and has been quietly stealing emails, strategy memos, donors' addresses, and staffers' Social Security numbers. The group has spent weeks combing through the bounty in search of dirty laundry and created an easy-to-use website dedicated solely to distributing the highlights. Prominently featured is a lengthy "self research" book on your candidate. For now, the campaign's website is down, its social media accounts have been suspended for pushing out lewd images, and there's not a working computer in sight.

The Threats Campaigns Face

Unfortunately for campaigns and our country, foreign adversaries may think that harming or helping a particular candidate advances their national interest, whether that means creating chaos and confusion among American voters, or punishing an official who has spoken out against them. This may sound like thriller fiction, but the reality is that a sophisticated foreign intelligence service, cybercriminal or hacktivist with a grudge against a candidate, could decide that you or someone on your campaign is a target.

These are the sorts of threats managers and staffers have to realize are possible.

WHO'S HACKING?

Campaigns face information and cybersecurity threats from a wide array of actors. Lone “black hat” hackers and cybercriminals have tried compromising campaigns for reasons of personal gain, notoriety, or the simple desire to see if they could. Nation-states pose the most dedicated and persistent threat. Russian espionage groups known as “Fancy Bear” (APT 28) and “Cozy Bear” (APT 29) were implicated in the 2016 campaign hacks. The Chinese have focused much more on information gathering. They are believed to have been active in the 2008 and 2012 presidential campaigns, but there is no evidence they released any stolen materials. The North Koreans infamously retaliated against Sony Pictures Entertainment for producing the film, *The Interview*, by stealing and releasing company emails and wiping their systems. Heightening tensions with the United States could prompt more attacks in the future.

Managing Cyber Risk

Risk is best understood in three parts. First, there are *vulnerabilities*: weaknesses in your campaign that make information susceptible to theft, alteration, or destruction. Vulnerabilities can originate in hardware, software, processes, and in the vigilance level of your staff. Then there are actual *threats*: the nation-states, hacktivists, and other nonstate groups with the capability to exploit those vulnerabilities. Risk exists where vulnerabilities and threats meet. Lastly, there are *consequences*—the impact when malicious actors capitalize on unmitigated risk.

There's little you or your campaign can do to prevent threats themselves—they are the result of larger geopolitical, economic, and social forces. What you *can* do is substantially reduce the likelihood that your adversaries will succeed by reducing your own vulnerability. Reducing vulnerability reduces risk—it's up to you to decide which ones are most essential to address based on the possible consequences. For example, you may decide that the most damaging thing a hacker could do is to steal your candidate's self research report. In response, you devote extra resources for secure cloud-based storage, use two-factor authentication, and restrict access to a small number of people. You may decide to make other documents on the campaign more widely available and less secure, since more people need them to do their jobs and they wouldn't cause much damage if they were leaked.

There are technical aspects to risk mitigation, but what matters most is that you take a holistic approach. As a campaign leader, you must make fundamental choices, such as who has access to information, what information is kept or discarded, how much time you devote to security training, and how you behave as a role model. As a campaign professional, risk management is your responsibility—both technical and human. It's up to you to decide what data and systems are most valuable and what resources you commit to protect them.

Securing Your Campaign

Our security recommendations are organized according to three principles:



Prepare

The success of nearly every one of the *Playbook's* recommendations depends on the campaign manager creating a culture of security vigilance that minimizes weak links. That means establishing clear ground rules that are enforced from the top down and are embraced from the bottom up.



Protect

Protection is critical. When you discover you have a security problem, it is already too late. Building the strongest defenses that time and money allow is key to reducing risk. Internet and data security works best in layers: there is no single, bulletproof technology or product. A few basic measures used in combination can make a campaign's digital architecture more difficult to breach and more resilient if compromised.



Persist

Campaigns now face adversaries with ever-increasing levels of resources and expertise; even the most vigilant culture and the toughest infrastructure may not prevent a security breach. Campaigns need to develop a plan ahead of time to deal with a breach if one occurs.

Some campaigns have more time and money for cybersecurity than others. That's why our recommendations offer two tiers of protection: “good” and “enhanced.” The “good” tier represents everything a campaign *must* do to have a *minimum* level of security. Using the “good” recommendations in a piecemeal fashion will leave you vulnerable. You should always aspire to do more as time, money, and people allow, which is why we recommend using the “enhanced” level whenever possible. If you have the resources to get reputable, trained IT support, it's money well spent. Threats are constantly evolving and professional IT services will help get you beyond what this playbook provides and keep you abreast of the latest threats and solutions.

Management

Campaign managers need to take responsibility for their cybersecurity strategy, but most will delegate development and supervision to a deputy or operations director. It's important that cybersecurity is tightly integrated into HR and IT work, since correctly onboarding staff, provisioning hardware, and controlling permissions will be critical to your strategy. Many small campaigns will rely on volunteer support for IT and cybersecurity. You can use this playbook to guide your discussion with your volunteer support. The key is to carefully vet the volunteers who support you and carefully control access, so that volunteer support doesn't create new vulnerabilities. You should make sure a campaign staffer is supervising IT work and controlling permission to access different systems.

When To Start

Whatever support model you have, *cybersecurity should start on Day One*. What follows is a "top five checklist" of measures that are absolutely vital. Make sure these are in place at the very beginning, even if there are just one or two staff, then complete the other "good" recommendations as soon as possible.

Cost

A lot of what we recommend here is free or very low cost. In fact, everything on our top five list is free, except getting a cloud-based platform, which will only cost a few dollars per month per employee. High target campaigns will need to budget enough resources for hardware and software to execute a responsible strategy, but this should still be a very small percentage of a multi-million dollar statewide campaign budget. Smaller campaigns will be able to execute the recommendations here for a few hundred to a few thousand dollars depending on how many staff or volunteers work on the campaign.

Any references to vendors and products are intended to help provide examples of common solutions, but do not constitute endorsements. If challenges arise when implementing products or services, we encourage you to reach out directly to the vendors, who can usually provide user-level technical assistance. When it comes to product and service selection, we encourage every campaign to consult with a cybersecurity expert or conduct independent research to find the best product for their needs.

Top-Five Checklist

1. Establish a culture of information security awareness:



Take cybersecurity seriously. You are responsible for reducing risk, training your staff, and setting the example. Routinely update and patch all systems. Human error is the number one cause of breaches. Phishing continues to be a leading method of attack. Train your staff to be on guard for suspicious messages. (see page 12)

2. Use the cloud:



A big, commercial cloud service will be much more secure than anything you can set up. Use a cloud-based office suite that will provide all your basic office functions and a safe place to store information. (see pages 14-15)

3. Use two-factor authentication (2FA) and strong passwords:



Require 2FA for all important accounts, including your office suite, any other email or storage services, and your social media accounts. Use a mobile app or physical key for your second factor, not text messaging. (see pages 16-17)

For your passwords, using a password manager is the best way to reduce risk. They allow you to generate and store long and random passwords that you don't have to memorize—the program does that for you. If for some reason you don't use a password manager then create SOMETHINGREALLYLONGLIKETHISSTRING, not something really short like Th1\$. Contrary to popular belief, a long string of random words without symbols is more difficult to break than something short, with L0t\$ 0f \$ymB01\$. (see page 17)

4. Use encrypted messaging for sensitive conversations and materials:



Using an encrypted messaging tool for phones like Signal or Wickr for sensitive messages and documents means adversaries can't get them if they hack into your email. Encryption scrambles the data, dramatically reducing the likelihood that someone can read your messages, even if they intercept the data.

5. Plan and prepare:



Have a plan in case your security is compromised. Know whom to call for technical help, understand your legal obligations, and be ready to communicate internally and externally as rapidly as possible. (see pages 19-22)

Steps to Securing Your Campaign



Step 1: The Human Element

Cybersecurity is fundamentally a human problem, not a technical one. The best technological solutions in the world will have no effect if they are not implemented properly, or if they are not continuously updated as technology evolves. Successful cybersecurity practices depend on creating a culture of security awareness.

“Good” — What You Need to Do

1. **Establish a strong information security culture** that emphasizes security as a standard for a winning campaign. Just as campaign staffers are instructed not to take an illegal donation, employees should know to avoid clicking on links or opening attachments in emails from unknown senders.
 - a. Onboarding: Provide basic information security **training** when you onboard new staff. You can distribute the *Staff Handout* at your training.
 - b. Trainings: Make security part of all your ongoing **staff trainings**, such as senior staff retreats or GOTV trainings. Provide **additional training** for those in sensitive roles, such as the candidate, press staff, senior staff, and anyone with system administrator privileges on your network. Managers should require that the most important people in the campaign—including the candidate—have their security settings checked by whoever runs IT (that may be the manager herself).
 - c. Set the example: Senior campaign staff and the candidate must take a **visible leadership role**, advocating for cybersecurity during trainings. Senior staff should provide **periodic reinforcement** of cybersecurity's importance to junior staff in meetings and on calls. Don't just have technical experts conduct trainings. The campaign manager or operations director can be a more powerful messenger precisely because they're seen as less “technical.”
2. **Train and educate your staff to be on the lookout for phishing.** Phishing attacks against campaigns are on the rise and continue to be a primary method used by malicious actors. Train your staff to be suspicious of any email asking for information, or claiming they need to click a link to reset their credentials. Sophisticated phishing may attacks may come from spoofed or compromised senders that appear legitimate. Encourage staffers to share anything suspicious with you or your IT staff. The more people share, the more confident you can be that they're being vigilant and the more

intelligence you will have. The overall rule of thumb should be to “think before you click”, but we’ve included three key points you can remind you staff about when you train and re-train. Training should emphasize best practices such as ‘hovering’ over a link to identify the actual url, expanding email details to confirm the email address of the sender, and using a different communications channel such as a quick phone call to confirm authenticity of the sender and email contents 2FA is another important way to prevent a spear-phishing attack from leading to an account compromise—just having your username and password will not be enough to access your account. As part of the campaign’s strong security culture, senior staff should recognize and praise anyone who reports suspicious behavior on their system or admits to clicking a potentially malicious link.

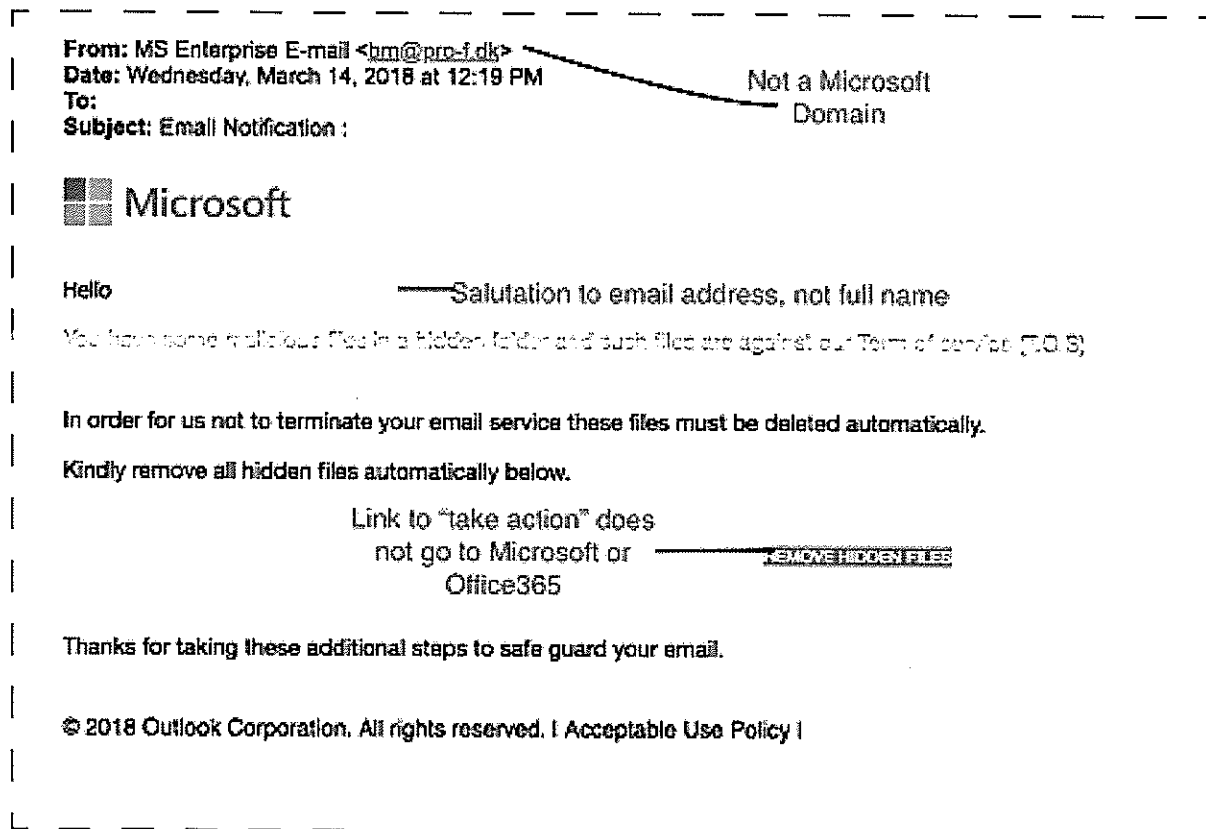
- a. **Phishing can happen on the phone, too!** Staff should never share information, wire money, or give anything else away on the phone if they aren’t certain who the caller is. Make staff aware of the threat and tell train them to listen to how the caller greets them and to ask questions that outsiders may not be able to answer. You can easily test your staff on phishing calls—and your friends will enjoy doing it!
3. **Conduct a thorough vetting** of staff, volunteers, and interns—anyone requesting access to campaign information—to avoid giving credentials to someone who wants to steal or sabotage your systems. Establish a definition for **sensitive information** and rules for its use. For example, you could choose to classify all polls, research materials, strategy memos, and related emails as “sensitive.” Prohibit the transfer of sensitive information on communication channels that aren’t managed and secured by the campaign. You can require that it be transferred only through encrypted messaging (see Step 2).
4. **Confirm that consultants and vendors with access to sensitive information have secure email and storage** (see Step 2). When in doubt, require vendors and consultants to use an account on your cloud-based office suite (See Step 2).
5. **Control access** to important online services, such as the official campaign social media accounts, to prevent use by unauthorized individuals. Make sure that those who leave the campaign can no longer access campaign-related accounts. You can do this easily by using a social media account management tool that acts as a gateway to all your accounts. If someone leaves the campaign, you should immediately disable their account.

"THINK BEFORE YOU CLICK"

PAUSE before you click on a link within an email to check what address the email is coming from and to ask yourself if the email is suspicious.

CONFIRM that a request for information, money, personal information, passwords, documents, etc. is legitimate by following up with the person requesting, ideally in person, or at least by phone. Never give your password or personal information over a link.

REPORT anything suspicious to your leadership by forwarding any email that's remotely questionable. Make sure you flag it as "suspicious" (e.g., in the title) so that no one else inadvertently acts on a malicious email.

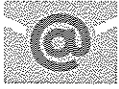


“Enhanced” — Take the Next Step

1. Software products such as Phishme and KnowBe4 can **train your staff by sending them fake phishing emails**. This is a safe, quick, and effective way to learn who is at risk of clicking a link, so you can give them counseling and extra training. Many of these products also filter some phishing attempts out of your email.
2. If you have the resources, **hire a dedicated IT professional** to manage your campaign’s systems and an IT security expert to help protect, maintain, and monitor your campaign’s digital infrastructure. He or she can provide regular security training and testing of your people and systems, while customizing security solutions.
3. Contract with a **cybersecurity firm** to provide security solutions, review your defenses, and/or monitor your systems for a breach. Know which firm you want to contact if you are breached and need urgent incident response support. This is an alternative to hiring a full-time IT security expert. Do your research and go with a highly reputable, U.S.-based firm—not all cybersecurity firms provide the same level of service.

WORKING WITH SECURITY PROFESSIONALS

If you decide to work with a security professional, how will you evaluate the right person or firm? Whether it’s through personal recommendations or positive public reviews, it’s important that you avoid costly yet ineffective support. When interviewing potential security professionals, ask about how they’ve responded to past security incidents and how they’ve enabled others to work more securely. Your respective national party committee or trusted campaign professionals may be able to recommend options to choose from. Bear in mind that culture affects security and that even the best recommendations may fail to achieve results if they are not followed (i.e., just hiring a firm won’t solve your problems).



Step 2: Internal Communication

Not all methods of communication are equally secure, so use the most secure method possible. Campaign leadership should set a standard that encourages in-person conversations whenever possible, and discourages needless or superfluous emails. Whether it is phone calls, texting, or emailing, different products and services offer different levels of protection, so do your research before you choose which systems your campaign is going to use.

“Good” — What You Need to Do

1. **Use a cloud-based office suite** that provides secure email communication, document creation, chat, and file sharing, such as GSuite or Microsoft365. For GSuite Enterprise, choose “Advanced Protection” and for Office365, use E5. Both will have built in settings that are more secure. For example, GSuite includes Google Drive for file sharing, Gmail for email hosting, Google Hangouts for chat, and Google Docs for word processing, spreadsheets, and presentations. Microsoft365 offers OneDrive/SharePoint for file sharing, Outlook/Exchange for email, Microsoft Teams for chat, and Microsoft Office for word processing, spreadsheets, and presentations. Cloud-based systems managed by major firms will be better protected than any servers you could set up in your campaign. There are free versions of both products, but the paid versions give you many more administrative capabilities. Google’s Advanced Protection Program provides extra security against targeted online attacks like phishing (this is available for their consumer Google/Gmail accounts). Through Google’s Protect Your Election effort, they also offer a free service to protect your website against disabling attacks.

WHAT IS THE CLOUD?

“Cloud services” provide management and access to information stored remotely on the Internet. They run on off-site servers managed by third-party companies; this includes many common services you may already use, such as Gmail or Dropbox. It’s good to store information in the cloud instead of on your personal computer because reputable cloud service providers have the money and expertise to make their server farms more secure than your laptop’s hard drive, or an office server. It’s like the difference between leaving cash under your mattress and storing it in a bank’s security vault. Using reputable cloud services offers an additional backstop against data loss if an individual device is lost or compromised. Cloud storage is a feature included in comprehensive office security services such as GSuite and Microsoft365. Other services include Dropbox or Box.

2. Use the most secure systems possible for communication.

- a. Use encrypted messaging services such as Signal, Wickr, especially for messages, document sharing and phone calls. Many campaigns require that sensitive information *only* be transmitted by encrypted messaging, although you can use it for all communication if you want (this is especially smart for high-risk individuals like the candidate). Signal and Wickr allow you to auto-delete messages, which reduces risk.
- b. Switch off archiving for messaging services, such as Google Chat and Slack, so that old chats can't be stolen later. This requires going into "settings" and adjusting "retention policy" timelines. Some services require you to do this for every single chat conversation. We recommend retaining chat messages for one week or less.

3. Defend your email

- a. **Turn on Auto-delete** in your email application for old emails to reduce the number of emails that could potentially be stolen. This usually requires going in and changing "retention policy" to shorter time periods in "settings." To ensure emails do not just sit in a "deleted items" folder, adjust settings to auto purge "deleted items" folder after a certain time period. We recommend retaining emails for one month or less.

4. Secure personal accounts

- a. Campaign business should never go on personal accounts. However, adversaries will target personal accounts for hacking, so have your staff use strong passwords and two-factor for their personal accounts as well (this is included in our *Staff Handout*).

WHAT IS ENCRYPTION?

Encryption is a way of encoding information when it travels between users, or when it's stored, so it can't be read by anyone but the intended recipient. Think of it this way: a user "scrambles" the data when she sends it and only the intended recipient has the key to unscramble it. Using encryption is smart, especially for sensitive information, because even if an adversary steals the data, it's unlikely they'll be able to read it. Most apps that use encryption, like Signal or Wickr, make the process seamless. Laptops or cloud storage systems use encryption as well.



Step 3: Account Access and Management

One of the most challenging aspects of security is keeping unauthorized people out. This means preventing adversaries from gaining access to your data *and* preventing people within your campaign from having access to information they do not need. While some of the recommendations below may seem cumbersome, hackers depend on those who value convenience over security.

“Good” — What You Need to Do

1. Require two-factor authentication (2FA) on all systems and applications.

Avoid texting (SMS) for two-factor authentication, because attackers can easily clone a phone number and get access to texts. There are several 2FA apps that work just as well as texting, such as Google Authenticator, Microsoft Authenticator, and Duo Mobile. You can also use a physical FIDO (“fast identity online”) key that is inserted into your USB drive such as Yubikey or Feitian. As malicious actors evolve their methods, we are seeing advanced attack techniques used to phish second factor codes sent to users. We strongly encourage the use of physical security keys for two-factor authentication, as they are not vulnerable to phishing. The website “TwoFactorAuth.org” is a helpful guide to services that do and do not offer 2FA.

WHAT IS TWO-FACTOR AUTHENTICATION?

Two-factor authentication is a second layer of security that requires a user to provide an extra credential beyond her or his password. The second factor is critical because, if your password is stolen, an adversary still can’t log into your account. Your password is something you *know* and your second factor is something you *have*, like a code that’s generated by an app, a physical key, or even something biometric, like a fingerprint.

2. Passwords

- a. **Ensure no systems are using default usernames or passwords**—this is a commonly overlooked error. Make sure each system and user has their own unique username and password,
- b. **Require strong passwords.** As we noted earlier, “make passwords that are long and strong.” Current computing capabilities can crack a seven-character password in

milliseconds. A 20-, or even 30-character password will take much longer for a hacker to crack. Choose a string of words that you can easily remember.

- c. **Use a different password for different accounts** so a hacker can't break into multiple accounts if a single password is stolen.
 - d. **If someone reaches out requesting a password or password reset, require the request to be made in person or over a video chat** to ensure it is the actual campaign staff member or volunteer. Only share passwords in person or over short-lived encrypted messages. Never share passwords over email or store/distribute using a helpdesk system.
3. **Use password managers** such as LastPass, 1Password, or Dashlane to help you manage a lot of long, strong passwords easily. But ensure that your management system has a long, strong password and two-factor authentication. We don't currently recommend password managers built into browsers, which are often less secure than these standalone managers.

PASSWORD MANAGERS

Password managers are a way to store, retrieve, and generate passwords. Some even have the ability to auto-populate the password line on login pages. The password manager requires a password of its own to login, which becomes the one password you *do* have to remember. The risk, of course, is that if someone breaks into your password manager (it has happened), that person will have all of your passwords. But this risk is almost always far outweighed by the benefit of strong, unique passwords across all of your accounts. For campaigns, password managers sometimes make sense for accounts that have multiple users, because the administrator can safely share access to them.

- 4. **Create separate accounts for administrators and users**, and severely restrict access to administrator accounts. Administrators should also have two separate campaign accounts—one used only for their admin duties and one that is their standard user account for all other campaign business. This will reduce the likelihood that an adversary will be able to compromise an administrator account, which would provide access to the entire network.
- 5. **Conduct periodic reviews** of who has access to different devices and networks. Immediately block access of people who leave the campaign. Immediately change passwords if suspicious activity is observed.

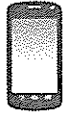
6. **Use encrypted messaging for sensitive information.** The federal government has confirmed the presence of “stingray” machines that can intercept cellular data, especially in the Washington, DC area. This is yet another reason to keep communications on encrypted messaging apps, which will be unreadable even if your signal is intercepted.
7. **Monitor all campaign, staff, and related social media accounts.** It is important to identify and respond quickly if you have been hacked. In line with the “Prepare, Protect, Persist” framework, campaign leadership should create a response plan for this scenario. This response plan should include finding appropriate points of contact within each social media company to get in touch with in the event that campaign accounts are hacked.

ADMINISTRATORS

In “IT speak,” an “administrator” or “admin” has the ability to give people access or control to systems or information. For example, as the “admin” for an email system, you can create accounts, change passwords, and set requirements like password length and two-factor authentication for all accounts. In an office suite like GSuite or Microsoft 365, you can also create groups, such as the “Field Team” or “Comms Team.” An admin’s job is really important. If they do things right, information will be available only to people who need it, which is essential for security. This means that deciding who gets admin privileges is also a critical decision. Only a few, highly trusted people should be able to grant others access to information. If a staffer with “admin” privileges leaves the campaign, make sure to take away their privileges immediately!

“Enhanced” — Take the Next Step

1. **Create user profiles for different types of campaign staff that automatically grant the necessary level of access.** Different types of employees—interns, field staff, campaign leadership—require access to different resources. Having predetermined profiles makes it easier to ensure that people are getting access only to what they need.



Step 4: Devices

Every physical device in your campaign—from a cell phone, tablet, or laptop to a router, printer, or camera—represents a potential attack path into your network. A good cybersecurity plan will attempt to control access to, into, and on *all* devices. You can control access *to* devices by making sure they are always properly handled and accounted for. You control access *into* devices via two-factor authentication and strong passwords. You control the content *on* devices via encryption and the policies guiding how you store data (i.e., storing information in the cloud instead of on machines).

“Good” — What You Need to Do

1. **Always use the most updated operating system (OS)** available, since system updates regularly include patches for the latest vulnerabilities. If possible, set device settings to **auto-install** these updates. Make it someone's job to check on a regular basis that everyone is current.
2. **Use an automatic cloud-based backup service** to mitigate the impact of data loss if a device is lost or stolen. Examples include Backblaze and CrashPlan.
3. **Physical access to the device**
 - a. From the start, campaign leadership should **create an environment** in which people take physical security of their devices seriously—losing a device could give an adversary access to critical information that can be used to hurt the campaign.
 - b. Although many campaigns cannot afford to buy new devices, it's always best to **purchase new equipment (especially computers and phones) if you can**. At a minimum, you should provide new devices for personnel who work with sensitive data.
 - c. If staff are using their own computers and phones, **establish a “Bring Your Own Device” (BYOD) policy** that implements strong security practices (see endpoint protection below).
 - d. Campaign members should NOT use **personal email accounts or devices that have not been secured per the BYOD policy** for campaign business, including email and social media. Any important information that resides outside devices or systems controlled by the campaign is vulnerable to attack. Leadership should constantly reinforce that campaign data needs to stay off personal email and unsecured computers.
 - e. Report lost devices immediately. Require default settings that allow for **remote wiping** on all devices.

- f. Win or lose, have a plan in place for what **happens to all data, accounts**, and devices when the campaign ends. This includes thinking how to safeguard or erase data at the hardware level. Reformatting a hard drive is not enough to protect your data. Residual data on reformatted or disposed drives can be obtained using commercially available forensics software. Extremely sensitive data should be degaussed or melted. The immediate aftermath of a campaign is an especially vulnerable period.

4. Digital access into devices

- a. Change **default passwords and settings** on all devices. Many devices come from the factory with a default password that is really easy to guess. Also, disable the guest account if a device comes with one.
- b. Implement **auto-lock** for phones and computers after two minutes and require a **password** or fingerprint ID to unlock.

5. Content on devices

- a. Require **encryption** on all devices (computers and phones) to ensure that the loss of a device does not mean the compromise of its content. Examples include FileVault for Mac and BitLocker for Windows. Some devices like the iPhone do this by default, but not all do. Require all consultants to keep data on their machines encrypted as well.
- b. Install **endpoint protection** software on all devices. Some examples include Trend Micro, Sophos, and Windows Defender. There are special endpoint security apps for phones and tablets. Lookout is an example.
- c. Limit what apps can access on all devices. This means limiting what apps are installed and limiting permissions for those apps (e.g., limiting access to contact lists or location and GPS information, turning off 'always active' mode).

WHAT IS ENDPOINT PROTECTION?

Endpoints are the devices that staff use, including mobile phones, laptop computers, and desktop computers. They are the “endpoints” of the campaign’s network, and staff are the “end users.” Endpoint protection centrally controls and manages security on remote devices. It’s especially important for campaigns that allow staff to “bring your own device” (BYOD), since the campaign needs to ensure that the device is secure, free of malware, and can be wiped if stolen or lost. Endpoint protection can also monitor the device to make sure software is up to date and detect new malware or potential threats. For many campaigns, this will feel like a big lift, but building it into your routine onboarding and investing some time upfront can save you a lot of grief later.

“Enhanced” — Take the Next Step

1. **Use mobile device management (MDM) software**, which monitors activity to ensure all devices comply with the mobile phone and user device security policies you have established for your campaign. Examples include VMware AirWatch, Microsoft Intune, and JAMF. GSuite and Microsoft Office 365 also include an MDM service.
2. **Use advanced threat protection services** that monitor and alert for malicious activity, such as CrowdStrike Falcon or Mandiant FireEye. CrowdStrike sometimes offers Falcon breach prevention service pro bono through the Crowdstrike Foundation, depending on the needs of your campaign and campaign finance rules.



Step 5: Networks

Networks are the system of physical hardware, digital software, and their connections. They represent another target-rich environment for attack. Network security comprises everything from how devices communicate with one another to using cloud services for data storage.

"Good" — What You Need to Do

1. **Embrace the cloud.** Store data on cloud services, not on personal computers or servers. Anything stored on a personal device faces higher risk than the cloud.
 - a. No one should have access to all files on the network; accounts with comprehensive administrator access should not be used for day-to-day work. Divide your file storage into department folders and grant access accordingly.
 - b. Ensure access to shared content is by **invitation only**. Some file management services also allow for implementing expiration dates on invitations and access.
 - c. Periodically audit what is being shared and with whom.
2. **Have a separate "guest" wifi network for visitors and volunteers** that limits their access to campaign resources. Try to purchase routers that offer a "guest profile" that will automatically segment your network.
3. **When traveling, or before you set up your campaign office, avoid public wifi services as much as possible** and use trusted wifi networks wherever possible. If you need mobile wifi, then try to provide campaign staffers with mobile wifi hotspots for tethering. Public wifi is often free and easy to connect with, but attackers can also use it to penetrate your hardware.
 - a. Where possible, staffers should **use a VPN** (virtual private network). VPNs help protect against intruders when on public wifi. Examples of VPN services include ExpressVPN or TunnelBear. Not all VPNs are created equal. Beware of free services: many are looking to take your data!
4. **Secure your browser.** *PC Magazine* ranked Chrome and Firefox as the two safest browsers in 2017. Regardless of what browser you use, keep it up to date.

VPNs

A virtual private network (VPN) is an encrypted “tunnel” for your Internet traffic, hiding it from intruders. Some offices use it as a way to log remotely into the office network, but this isn’t very common for campaigns. Campaigns should consider having their staff use a VPN on computers and mobile phones if they often have to use public wifi or untrustworthy networks (which is sometimes the case for traveling staff or field offices).

“Enhanced” — Take the Next Step

1. You can take more advanced steps to protect your network, but they should be implemented by an IT professional. We would suggest you ask them to include the following:
 - a. **Set up a hardware firewall.**
 - b. **Encrypt your wifi connection** using the WPA2 or 802.1x security protocols (do not use WEP).
 - c. Configure cloud-based web proxies to **block access to suspicious sites** from any campaign-owned device, no matter where it is. Service provider examples include Zscaler, Cisco Umbrella and McAfee Web Gateway Cloud Service.
 - d. Have your activity logs stored on a cloud service provider such as LogEntries or SumoLogic.
 - e. **Segment your cloud-based storage** so that not everything is stored in the same place. Opposition research, strategy memos, and personnel files should be kept in different folders, and access to those folders should be restricted to the people who really need them. Consider a different storage system entirely for your campaign’s most sensitive information. Restrict access so that only key personnel can access it, and only when using specific devices. (For example, if you use Microsoft365 for your office suite and document storage, but your most sensitive documents on a Dropbox or Box account.) If a member of the campaign becomes compromised, this kind of segmentation can limit the damage.
2. **Train staff not to connect their devices to unknown ports or devices.** Don’t use public chargers at airports or events. Don’t accept free phone chargers or batteries at events (that free USB drive may be loaded with malware!).



Step 6: Information Operations and Public Facing Communication

Information operations have been in the news a lot recently, especially campaigns run by foreign intelligence services to influence opinion in the United States. It will be up to elected leaders and policymakers to decide how to confront information operations moving forward and there's little we can do as campaign staff to impact whether they happen or not, but there are a few things we can do to manage them if they're happening. Campaigns have and will continue to be targets of these operations and need to be prepared. Defending ways your campaign communicates with the public is an important part of this. Below are some ways to better protect against information operations, identify when they are happening to your campaign or candidate, and how to respond quickly when they do occur.

WHAT ARE INFORMATION OPERATIONS?

Information is power—or at least that's what a lot of military and intelligence services think! The power of ideas has long fueled rebellions, insurgencies and civil wars and many countries that may have inferior military capabilities in the traditional sense seek to use information to divide and pre-occupy their adversaries. In Russia, for example, influencing public opinion through propaganda and inflaming local tensions is part of their doctrine of warfare and something they practice constantly on perceived adversaries. Social media completely changed the information operations game. It's now easier than every to move information quickly and impersonate other people, creating the impression of public anger or division.

"Good" — What you need to do

1. **Remember: information operations are a communications problem**, not a technical one. Adversaries can make their information operations more potent by stealing your data, but once information is out in the environment, you need a communications strategy to manage it. Think in advance how to handle fake or slanted news—will you ignore it? Re-tweet it and reinforce that it's false? How will you make this decision? These are among the most difficult decisions any campaign

has to make, but what matters most is think about these questions with your team in advance, so you and your team have guidance about how to respond, if you respond at all.

2. **Know what's going on.** Encourage activists to share posts, sites, or news stories they find suspicious. If you want, you can deputize some interns or volunteers to focus on this specifically, conducting searches to find out what content is out there. One ongoing challenge is that it's impossible to see everything that voters may be getting on their Facebook feeds. The platform has made it harder to post political advertising and has increased staff to monitor news content, but you cannot search all content. The best way to solve this right now is to deputize a team of volunteers, who represent different geographies and demographic groups in your state/district, so you can catch as much as possible.
3. **Establish contact with key social media platforms and notify them if you find fake or misleading information.** Most social media platforms will now remove "fake" or misleading content and imposter profiles. Ask your relevant campaign committee or state party for the best contact at social media platforms and establish contact early in the campaign so you can reach out quickly if something goes wrong.
 - a. Facebook
 - b. Twitter
 - c. Google/YouTube
4. **Monitor for imposter sites.** To-date, there are no public reports of imposters trying to steal money or activist data through fake websites, but it's such an easy vector of attack, you should be on the lookout. Make sure to purchase any web addresses you may want to use (or could be used against you). If you want, you can retain a reputation management service that will monitor the web for you [do we include examples?]. Some can do this at a fairly modest price.
5. **Protect Against a Distributed Denial of Service Attack (known as DDoS).** A DDoS attack is when an adversary takes control of a lot of machines, and uses them to "ping" your website all at once, causing it to crash. Most of what we focus on in this guide is how to keep people away from your campaign data, but, in the case of a DDoS, you want to keep your website open and available all the time for donors and activists. DDoS has not yet become a common threat to campaigns, but it could be used to block you from fundraising or simply cause a really frustrating disruption to your campaign. There are two free tools you can use to protect your site, Google's Project Shield and Cloudflare.



Step 7: Incident Response Planning

It's just as important to plan for responding to an attack as it is to develop a security strategy to prevent one. How you respond often has more to do with the ultimate outcome of an incident than what was compromised. You should budget some time at strategic retreats or longer senior staff meetings to discuss what will happen if something does go wrong. Here's a checklist of the steps you should take:

Legal:

Identify outside counsel you will retain in the event of a cyber incident, and discuss the response process with them at the outset of the campaign. In most cases, this will be the same person who represents your campaign on other matters, but ideally you would have someone who specializes in incident response on call, either pro bono or for a \$0 retainer.

Ask your lawyer to explain **your legal obligations** if data is stolen and what compliance measures you will need to have in place.

Understand **your vendors' legal obligations** to notify you or others if they are hacked. Wherever possible, include strict notification requirements in your vendor contracts, since third parties are a frequent source of breaches.

If you believe you've been breached, a best practice is for your **lawyer to oversee your response** under attorney-client privilege.

Talk to your lawyer about the best way to **work with law enforcement** if a breach occurs. Every campaign will approach this differently.

Technical:

Determine ahead of time **whom you will call for technical assistance** if you think you've been hacked. Your state caucus or national party committee can usually provide referrals.

Choose **someone on the campaign who will interface with technical experts** in the event of a breach. This is ideally the same person who is already coordinating IT for the campaign. Managing an incident response can be overwhelming, so you want someone focused on the technical aspects who knows what they are doing. That way you can focus on communicating with stakeholders and the press.

Operations:

Decide in advance **who will be on your Incident Response Team (IRT)** and who will participate in incident response meetings. It's important to include someone from your IT, legal, operations, and communications teams. If you're a small campaign and don't have full-time communications, IT, or operations support, plan to include any key staff who oversee campaign operations.

Determine the **chain of command for decision-making** in the event of a breach, especially regarding communications. In many cases, this will be the campaign manager, but some managers may choose to delegate responsibility to someone else.

Identify **what app or technology you will use to communicate** if you think your email has been breached (Signal and Wickr are two common options). Communication during a breach is essential, but you don't want your adversaries to know what you're saying—or even that you are responding to their actions.

Communications:

Conduct scenario planning. For many campaigns, this can be part of an existing strategy retreat. For bigger campaigns at higher risk, it may be necessary to have a dedicated meeting. Your scenario planning should include:

Identify key internal and external stakeholders, like your staff, volunteers, donors, and supporters. Know whom you need to contact if an incident occurs and rank them in order of priority. Develop a contact list and designate who will reach out to them.

Understand of the different types and varying sensitivity of the data you're collecting. Think through what could happen if the data is no longer confidential, if you can no longer rely on the integrity of the data, or if you can no longer count on it being available.

Brainstorm the most damaging scenarios and consider how your stakeholders and messaging may change for each one.

Different scenarios could include:

Rumors that your campaign has been hacked;

Credit card and contact information for your donors is stolen;

Ransomware and an extortion attempt are lodged against your campaign;

Your systems are wiped and shut down;

Someone's emails are stolen;

Your adversary steals your administrator's credentials and every file on your campaign drive.

A malicious actor alters statements on your website or public accounts.

Be careful what you say in the present about cyber security policy or cyber incidents. Some victims of cyber crimes have previously made grandiose pronouncements about their own security measures, or have criticized others who have been attacked. The press will hold you accountable for what you said in the past if you fall victim.

Similarly, **avoid providing details about the scope of the event in the early phases** of the incident (and if you can avoid discussing the scope altogether, even better). Details available at the outset will change as you investigate. A common mistake is to say something that later turns out not to be true (e.g., "they didn't steal very much," or "no personal information was taken"). Saying only what you know *for sure* is the safest course. Statements should focus on the actions you are taking to make the situation right for the affected stakeholders.

Develop some boilerplate language in advance, so that you can draft statements or talking points quickly if an incident occurs. At a minimum, create a simple Q & A document that you can rapidly revise if you actually need to use it. Creating a Q & A document in advance will help you to think as much about what you *won't* say as what you *will* say. For example, the first question will often be, "What happened?" However, you may not be able to answer that for days or weeks. The fact that you don't know what kind of breach will take place can actually help you write better boilerplate answers in advance.

Questions to include in your Q & A document are:

What happened?

How did it happen?

Who did it?

What was stolen or damaged?

Was anyone's personal information stolen? What are you doing to protect them?

How did the hackers do it?

Are the hackers out of your system?

How long were they in your system?

What security measures did you have in place? Why weren't they effective?

Shouldn't you have known this would happen? Why weren't your systems better secured?

Are you working with law enforcement? Has law enforcement contacted you?

In a ransomware breach, you'll be asked: Did you pay the ransom and why or why not?

Stay in touch with your key stakeholders and keep them as informed as you can. You probably won't be able to say much, but contacting them regularly with what you do know, having a clear statement about your intentions, and providing details about what you are doing to manage the situation are key. Avoid setting an expectation of too frequent updates, because often you won't have new information and your stakeholders will become frustrated if you continue to return to them without new information. Only speak proactively to the media if you have new information to provide.

Do you see a way to make this Playbook better?

Are there new technologies or vulnerabilities we should address?

We want your feedback.

Please share your ideas, stories, and comments on Twitter @d3p using the hashtag #CyberPlaybook or email us at connect@d3p.org so we can continue to improve this resource as the digital environment changes.

Defending Digital Democracy Project

Belfer Center for Science and International Affairs
Harvard Kennedy School
79 John F. Kennedy Street
Cambridge, MA 02138

www.belfercenter.org/D3P

Copyright 2018, President and Fellows of Harvard College

Illustration icons from the Noto Emoji project, licensed under Apache 2.0.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, August 13, 2018 4:22 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Interpreters as a form of assistance

Hello Everyone,

This e-mail serves as a reminder that, as we discussed at seminar, there is no longer any difference in the qualifications of an assistant and an interpreter. A federal district court has ruled that interpretation is another form of assisting a voter and therefore requires the same qualifications.

This means that a person assisting a voter by interpreting for them in communications to the poll workers can be anyone of the voter's choice except their employer, an agent of their employer, or an officer or agent of any labor union to which the voter belongs. See Election Code 64.032(c). This means that even if, for example, the person helping the voter communicate with the poll worker or otherwise assisting the voter is not a registered voter, is registered to vote in a different county, is not of age to vote, or is not a U.S. citizen, that person can still assist the voter, as long as that person is not also the voter's employer or an agent of their employer or an officer or agent of any labor union to which the voter belongs. This also means that whether or not the voter calls the person assisting them an "assistant" or an "interpreter", that person can assist the voter outside and inside the voting booth.

If a person assisting a voter is both interpreting for the voter outside the voting booth and assisting the voter in the voting booth, then both the oath of assistance and interpreter's oath should be administered to that person. Otherwise the person should only take the oath applicable to the form of assistance being rendered to the voter.


Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Election Cyber Incident Communications Coordination Guide

**For the Election Infrastructure Government
Coordinating Council**

 **HARVARD Kennedy School**
BELFER CENTER
for Science and International Affairs

DEFENDING DIGITAL DEMOCRACY
FEBRUARY 2018

AMERICAN
OVERSIGHT

TX-STARR-19-0693-A-000623

Defending Digital Democracy Project

Belfer Center for Science and International Affairs
Harvard Kennedy School
79 JFK Street
Cambridge, MA 02138

www.belfercenter.org/D3P

Statements and views expressed in this document are solely those of the authors and do not imply endorsement by Harvard University, the Harvard Kennedy School, or the Belfer Center for Science and International Affairs.

Design & Layout by Andrew Facini

Cover photo: A view of the podiums during a news conference in the Rose Garden at the White House, Monday, April 2, 2012. (AP Photo/Charles Dharapak)

Copyright 2018, President and Fellows of Harvard College



Election Cyber Incident Communications Coordination Guide

**For the Election Infrastructure Government
Coordinating Council**

Contents

Defending Digital Democracy Project: About Us	2
Authors and Contributors	3
Acknowledgments	4
How to Use this Communications Guide	5
Executive Summary and Purpose	6
Strategy, Mission, and Objectives	7
Establishing a Cyber Education Baseline	9
Cyber Crisis Communications Best Practices	11
Planning Ahead	11
Communications Response	12
Communications Process	14
Phase 1: Baseline Communications Activities	15
Phase 2: Communications Planning, Activation, and Coordination	17
Phase 3: Message/Document Drafting, Coordination, and Distribution	22
Phase 4: Evaluation and Feedback	24
Communications Coordination and Response Checklist	26
Conclusion	31

Defending Digital Democracy Project: About Us

We established the Defending Digital Democracy Project (D3P) in July 2017 with one goal: to help secure democratic elections against cybersecurity threats and information operations.

There are two groups on the frontlines of defending democracy: (1) political campaigns, which enable citizens to pursue elected office; and (2) election officials, who ensure the election process is free and fair.

Last year, we set out to provide campaign and election professionals with practical guides to the most applicable cybersecurity best practices in advance of the 2018 midterm elections. In November 2017, we released “The Campaign Cybersecurity Playbook” for campaign professionals.

Now, we are releasing a set of three playbooks designed to be used together by election administrators: **“The State and Local Election Cybersecurity Playbook,” “The Election Cyber Incident Communications Coordination Guide,”** and **“The Election Incident Communications Plan Template.”** What follows is the Coordination Guide.

D3P is a bipartisan team of cybersecurity and policy experts from the public and private sectors. To better understand the cyber threat and other challenges that election administrators face, our team spent four months interviewing state officials about their communications practices and how they would or would not apply these practices in a cyber incident. We spoke with state and local election officials, as well as key national-level players and members of the Election Infrastructure Government Coordinating Council (EI-GCC).

These interviews exposed the range of challenges election officials confront in the cyber domain. One of the most significant needs we encountered was the ability to communicate consistently across states in the event of a major election cyber incident, in order to maintain public trust.

This Guide is primarily intended for use by the EI-GCC to coordinate multiple voices (and multiple facts) in an election cyber incident that crosses traditional jurisdictions. We are releasing the Guide publicly, because a range of officials may be interested in learning more about how state and local leaders can, and should, coordinate their communications in the event of this type of cyber incident. We hope this Guide becomes a starting point for the EI-GCC to establish its role as a central communications node in the event of an election cyber incident.

Finally, we would like to thank the election officials around the country for whom we wrote this guide. You are the frontline defenders of democracy. We hope this effort helps make that tremendous responsibility a little easier.

Good luck,
The D3P Team

Authors and Contributors

This project was made possible by dozens of people who generously volunteered their time. Special thanks are due to **Siobhan Gorman** for leading the project and who, in addition to **Matt Chandler**, **Meredith Davis Tavera**, and **Chris Farley**, wrote this Coordination Guide.

We are also indebted to the people listed below who invested countless hours in reviewing drafts and providing input.

SENIOR ADVISORY GROUP

Eric Rosenbach, Co-Director, Belfer Center;
Director, Defending Digital Democracy Project

Robby Mook, Co-Director, D3P

Matt Rhoades, Co-Director, D3P

Heather Adkins, Dir. of Information Security and Privacy, Google

Dmitri Alperovitch, Co-Founder and CTO, CrowdStrike

Siobhan Gorman, Director, Brunswick Group

Yasmin Green, Head of Research & Development, Jigsaw
(Alphabet)

Stuart Holliday, CEO, Meridian International Center

Kent Lucken, Managing Director, Citibank

Debora Plunkett, former Director of Information Assurance,
National Security Agency

John Reed, Senior Vice President, Definers Public Affairs

Suzanne Spaulding, Senior Advisor for Homeland Security,
Center for Strategic and International Studies

Alex Stamos, Chief Security Officer, Facebook

CONTRIBUTORS

Lori Augino, Director of Elections, WA Office of the Sec. of State

Matt Chandler, Partner, Frontier Solutions

Caitlin Conley, Executive Director, D3P

Amy Cohen, Executive Director, National Association of State
Election Directors

Meredith Davis Tavera, D3P, Harvard Kennedy School

David Forsey, Policy Analyst, National Governors Association

Shannon Cortez, Deputy Director of Elections, WA Office of
the Secretary of State

Chris Farley, Associate, Albright Stonebridge Group

David Forsey, Policy Analyst, National Governors Association

Karen Ejiofor, Staff Assistant, Belfer Center

Siobhan Gorman, Director, Brunswick Group

Eben Kaplan, Principal Consultant, CrowdStrike

Jane Khodos, Senior Director, Comms. and Content, FS-ISAC

Matthew Masterson, Commissioner, Election Assistance
Commission

Jeff McLeod, Division Director for Homeland Security and
Public Safety, National Governors Association

Robby Mook, Co-Director, D3P

Matt Rhoades, Co-Director, D3P

Eric Rosenbach, Co-Director, Belfer Center;
Director, Defending Digital Democracy Project

Michelle Tassinari, Director/Legal Counsel, Elections Division,
Office of the Secretary of the Commonwealth of MA

BELFER CENTER WEB & DESIGN TEAM

Arielle Dworkin, Digital Communications Manager,
Belfer Center

Andrew Facini, Publications and Design Coordinator,
Belfer Center

Acknowledgments

The D3P team would like to especially thank Heather Adkins of **Google**, Yasmin Green of **Jigsaw**, the **Hewlett Foundation**, the **Democracy Fund**, and the **Belfer Family**; without whom this Playbook would not have been possible. Additionally, we would like to thank the following organizations and offices for sharing their time with us through conversations, simulation participation, or field visits. Your perspectives were critical in shaping our approach to this document.

Department of Homeland Security (DHS)

National Association of State Election Directors (NASED)

National Association of Secretaries of State (NASS)

National Governors Association (NGA)

National Guard Bureau (NGB)

Election Officials from the Following States and Jurisdictions:

Atlantic County, New Jersey	State of New Jersey
Nevada County, California	Mercer County, New Jersey
Orange County, California	State of North Carolina
Santa Clara County, California	State of Ohio
State of Colorado	State of Oregon
Arapahoe County, Colorado	Multnomah County, Oregon
City and County of Denver, Colorado	Commonwealth of Pennsylvania
State of Connecticut	State of Rhode Island
Escambia County, Florida	State of Tennessee
Cook County, Illinois	State of Vermont
State of Louisiana	Commonwealth of Virginia
State of Maryland	State of West Virginia
Caroline County, Maryland	Harrison County, West Virginia
Commonwealth of Massachusetts	State of Washington
State of Minnesota	State of Wisconsin
State of Nevada	
Clark County, Nevada	

How to Use this Communications Guide

This communications guide includes best practices and guidelines to help the Election Infrastructure Government Coordinating Council (EI-GCC) quickly coordinate the response to an election-related cyber incident that affects more than one state during the early days of the incident. While every cybersecurity incident is unique, this document provides a foundation on which the EI-GCC can build a response that addresses the incident with the goal of maintaining confidence in the election system.

This Guide should be owned by the communications director, or a similar position, at the EI-GCC and be updated at least annually.

■ Key topics include:

Strategy, Mission, and Objectives: The purpose of the Guide is to help election officials maintain public confidence in the integrity of the U.S. election system in the event of an election-related cybersecurity incident.

Establishing a Cyber Communications Baseline: This section explains the importance of educating the public and other key stakeholders on cyber threats facing the election process and steps currently being taken to counter them.

Cyber Incident Best Practices: This section includes best practices for communicating with the media and other key stakeholders.

Communications Process Workflow: This component includes diagrams that outline who will manage the cyber crisis communications response and serve as spokesperson during an incident.

Response Checklist: This checklist broadly outlines steps that should be taken during the first several days after learning about a potential incident.

Executive Summary and Purpose

What constitutes a “cyber incident” in elections can range from theft of voter registration data to disruption or manipulation of the vote tally. This Guide is designed to help coordinate and align communications across jurisdictional boundaries in an election-related cybersecurity incident that involves more than one state. Its primary purpose is to maintain (or regain) public confidence in the face of such an incident.

This Guide is written to help the Election Infrastructure Government Coordinating Council (EI-GCC) assist state and local election officials, who will need to communicate across jurisdictions if an election-related cyber event has impacts beyond a single state. While every jurisdiction should have its own plan to respond to a cyber incident, many incidents will have implications beyond state boundaries. It is critical to coordinate the response from the outset, so public comments confidently convey that the issue is being addressed and maintain public trust in election systems across the country.

We recommend the creation of a communications coordination structure within the EI-GCC, including a communications director, or similar role, who would be a key spokesperson in a cyber crisis.

A multistate cyber incident could take many forms. It could be a series of incidents that collectively have a broader impact. It could be one or a few incidents that, because of their strategic significance or other factors, have an impact beyond state boundaries, or receive outsized attention from national media outlets. This could even be a false rumor that requires a coordinated effort to stamp it out.

This Guide provides:

1. A set of best practices for communicating about an election-related cyber incident
2. A process for coordinating multistate communications decision-making, including spokespeople and communications messages

Additional communications response materials, including a sample escalation process and scenario-planning materials, are available to election officials and can be obtained upon request from the National Association of Secretaries of State, the National Association of State Election Directors, or the U.S. Election Assistance Commission.

Strategy, Mission, and Objectives

The potential for cyberattacks on our elections systems is an unfortunate reality of our time. Election officials should recognize, and plan for, a possible incident. **The primary objective of this communications guide is to enable the EI-GCC to help election officials maintain public confidence in the integrity of the U.S. election system** in the event of cyber incidents both locally and crossing state boundaries.

Election officials from both parties and at all levels of government agree that there is a shared national interest in preserving the public trust in our election system.

A central component of maintaining trust is providing the public with timely and accurate information. Equally important is dispelling inaccurate information as quickly as possible, especially in today's perpetual cycle of traditional and social media coverage.

Maintaining public trust is most effectively accomplished when election officials—across parties and jurisdictions—speak with one coordinated voice. If federal officials are contradicting state leaders, as occurred in 2016, the public is left confused and it can become all the more difficult to maintain confidence in the election process. Likewise, if federal, state, or local officials are contradicting one another, it is counterproductive and confusing to the public. For these reasons, EI-GCC will play a crucial role in coordinating the response.

All public statements should demonstrate the incident is being handled competently. Any specifics that are provided should be limited only to those that will not change. The scope of the incident, for example, is likely to shift and shouldn't be discussed publicly at the outset. Modifying your story can undermine confidence in the management of the incident and the election system itself.

To institutionalize a means to maintain public trust, **the communications response strategy underlying this Guide coordinates communications messages and delivery among election officials in a multistate cyber incident** to ensure consistency and accuracy of public information. To enable a unified response, we provide communications best practices and coordination processes.

Elections are governed at the state and local level, and there is a national interest in maintaining the integrity of, and confidence in, our elections system. So it is important to have a process that

will enable officials from all levels of government to: obtain and analyze the information; decide who will speak about the national implications of the incident; and provide information and communications to all elections officials, so they can communicate accurately, dispel rumors, and reinforce coordinated messages.

Beyond the coordinated multistate process outlined in this Guide, election officials at all levels of government should take measures to prepare for a cyber incident.

■ Among the steps you can take immediately are:

Establish (or update) a state or local communications response plan to an election-related cyber incident. For a template state or local cyber communications plan please see the Election Cyber Incident Communications Plan Template.

Ensure that the communications plan is aligned with the corresponding technical response plan, and that both are regularly updated.

Test those plans with simulations.

Obtain regular updates on cyber threats, particularly as they relate to elections.

Maintain relationships with officials who will be relevant to coordinating a response to any cyber incident, including federal officials at the local level and other local community leaders.

Coordinate with political parties. It is much easier to agree to protocols for sharing information about and responding to a cyber incident before the incident and before an election.

Educate the public about the work you are doing. Set the expectation that there will likely be some cyber threat activity during an election and explain how that activity differs from what would be required to interrupt the elections process.

It is important to update and exercise communications response plans frequently—at least every year—to familiarize new players with the process and ensure you apply lessons learned from past experiences and exercises.

Establishing a Cyber Education Baseline

The public needs to understand the steps state elections officials are taking to counter cyber threats, as well as how difficult it is to execute a cyberattack that will disrupt an election outcome. If the public, and the media, understand the “new-normal,” baseline activity of cyber threats targeting elections, they will be less likely to worry unnecessarily about news of small-scale election-related cyber incidents. If you don’t have to spend considerable time allaying concerns over inconsequential incidents, you can focus your attention on the consequential ones.

The main point to make is that cyberattacks are now an issue all election officials must contend with, and the states have taken, and continue to take, steps to mitigate those threats. However, not every attempt is successful, and even successful ones are very unlikely to impact the outcome of an election.

Communications in a cyber crisis are most effective when the public has a baseline understanding of:

The continuing work at all levels of government to counter that malicious activity and try to ensure it does not escalate to a major cyber incident

The nature of the election data your agency holds, most or all of which is public data

The malicious, but inconsequential, cyber activity that takes place regularly

We recommend that the EI-GCC consider taking on some of this public education role, which would address issues that extend across the states. The council is in a strong position to draw on data from across the country and across levels of government about both threats and actions being taken to enhance the cyber defenses of election systems. For this reason, we suggest that it consider publishing an annual report on the state of election cybersecurity.

The EI-GCC, perhaps in concert with the relevant associations and Information Sharing and Analysis Centers, could provide a regular cadence of cyber threat information, so the public understands how frequently attempts are made by a range of cyber threat actors to target election

infrastructure. Making this information common knowledge will mitigate the tendency to treat every reported attempted attack as a reason to question the election system.

The type of information you may want to share could include statements such as: “Based on threat information from the Department of Homeland Security and the Federal Bureau of Investigation (or state/local law enforcement), we are taking the following steps to address and mitigate these threats.” If appropriate, this effort could take the form of regular background briefings for the media, as well as online materials and public panels or other educational events for other key stakeholders. The EI-GCC could also consider a joint public panel or forum with representatives of both political parties to discuss measures states are taking to mitigate cyberattacks.

The EI-GCC should also consider sharing limited, aggregate information on successful attacks once they have been addressed, which would establish the EI-GCC as a valuable resource for this type of information.

You should couple the cyber threat data with information on the actions states and localities are taking to strengthen the cyber defenses of election systems. This information should be specific enough to be credible while not being so detailed as to undermine your defenses. Work closely with information security and legal experts to strike the right balance.

We discuss how to establish a communications baseline in more detail in the section on communications process on Page 15.

Cyber Crisis Communications Best Practices

Election-related incidents fall broadly into five categories:

- Online rumors that seek to undermine confidence in an election
- Reconnaissance of election-related systems
- Theft of voter or other election data
- Data manipulation that could affect an election outcome
- Data destruction

The top priority in a cyber crisis will be to maintain public trust. The most effective way to achieve that goal is to respond confidently and quickly. To do this, the EI-GCC will need to prepare, train for, and test its response ahead of time—especially because it is a new organization.

Planning Ahead

Near-term Planning	Longer-term Planning
<ul style="list-style-type: none">• Determine internal roles and responsibilities. Make sure there is a clear escalation process for the EI-GCC and the right teams are talking to each other in the event of a cyber incident. Make an individual responsible for ensuring that this process is established and updated.• Assess the current crisis communications plan and analyze communications gaps and weaknesses.• Plan your response to a cyber crisis in advance with a communications plan, including a decision-making protocol and communications materials.• Ensure that cyber incident response is part of the operational continuity plan. Make sure there is a backup communications plan and system in place.	<ul style="list-style-type: none">• Conduct crisis simulation and table-top exercises, coordinated with legal, technical, and outside advisors, including key senior leaders from multiple states, counties, coordinating bodies, and the federal government.• Conduct stakeholder mapping and a risk analysis to understand risks to trust in the election system, priority stakeholders, and how to reach stakeholders to address key concerns. Pay particular attention to outreach to voters and political parties.• Educate the media through background meetings and public events on the resiliency of the election system, and the current work to mitigate cyber threats.• Educate the public through online channels and public events on the resiliency of the election system and the current work to mitigate cyber threats.

Communications Response

Best Practices

Be transparent but careful. Transparent communication builds trust, but in a cyber incident, you will have few facts at hand, especially at the outset. Public comments should demonstrate that you are taking the issue seriously, but avoid providing any details that may change as the investigation progresses, so you don't have to correct yourself down the line. Avoid speculation on the perpetrator of the incident.

Focus on actions you are taking to address the issue. To demonstrate that you are taking the issue seriously, you should talk about the steps you are taking to protect voter information and address any broader risks to the system.

Provide context. In an election-system incident, there will be a temptation for public speculation. Counter speculation with facts and context to reduce the risk of undermining public trust. Include metrics whenever possible.

Be visual. Cybersecurity can be challenging to understand depending on a person's technical background. The quickest way to get your message out is to pair it with a graphic. Connect with design teams who can provide you infographics and develop a library of graphics and photos you can draw from.

Use the right digital tools. Use social media to dispel rumors. When a cyber incident strikes, social media is now a go-to source of immediate information. In practice, this means using it selectively to counter misinformation and inaccuracies.

Learn from the incident. Use your and others' experiences to improve your cybersecurity practices and crisis plans.

Guidelines for Communicating with the Public

Focus your communications on your most important stakeholder—the public. You will be tempted to discuss the components of the incident. Instead, talk about what you are doing to address public needs or concerns in this given situation.

Speak plainly. Cybersecurity can be off-putting to nontechnical audiences. Use anecdotes and examples to demystify cybersecurity issues whenever possible.

Demonstrate transparency by communicating with the public on a regular basis. Establish a regular series of communications with the media and the public about the cybersecurity measures you are taking now, so that the first time they hear from you is not in a crisis.

Best Practices for Countering Misinformation

Establish the facts, and double-check them. You need to ensure that you are operating from a factual position before countering misinformation, so check your facts with multiple sources before citing them publicly. Ask all appropriate questions and put in the work before you speak to be certain that you do not accidentally provide misleading information.

Develop a simple, accurate, short counter-message. Develop a clear statement that contains only the facts. Avoid complex messages. You can provide additional nuance later.

Respond quickly. Misinformation can spread rapidly through social media and broadcast commentary. Your counter-message should be ready to disseminate as soon as possible.

Be transparent. Caveated, incomplete, or “no comment” responses can fuel conspiracy theories by making it appear your organization has something to hide. Demonstrating transparency can help to counter false claims. Opportunities to demonstrate transparency could include inviting reporters “behind the scenes” at a polling place.

Engage on all platforms. Misinformation can spread across multiple platforms, including social media and traditional media. To counter misinformation, deliver a clear, factual message on all available platforms.

Avoid repeating misinformation. Focus on providing accurate facts and do not repeat the false messages. For example, if false rumors circulate that lines at the polls are many hours long, avoid saying that rumors of long lines are circulating. Instead, your message should be that lines are short and moving quickly.

Communications Process

Maintaining a coordinated process is critical to effective and efficient communications planning and response to a cyber-related incident. For an incident affecting multiple states, this coordinated communications process outlines:

- Key stakeholders
- Phased planning and response
- Coordination functions
- Feedback loop to incorporate lessons learned

In this communications process, we assume that information and messaging coordination functions will be performed by cross-jurisdictional organizations that have played a similar role in past crises. Further, we recommend that new coordinating functions and mechanisms be created to execute information-sharing and communications.

We recommend that the EI-GCC—with support from other interested parties, such as the National Association of Secretaries of State (NASS), International Association of Government Officials (IGO), the U.S. Election Assistance Commission (EAC), the National Association of State Election Directors (NASSED), and the National Governors Association (NGA)—establish a Cybersecurity Communications Response Group (CCRG).

This newly formed entity will provide the EI-GCC and its stakeholders with a communications coordination function that currently does not exist, allowing for collaborative, coordinated public message planning and execution if and when it is needed in the future.

Phase 1: Baseline Communications Activities

On a regular basis, the CCRG will provide updates to the public and other key stakeholders on current cyber threats and actions being taken to counter them. These baseline updates, whether part of a regular cadence or spurred by suspected nefarious activity, should be developed and coordinated with the expectation that they will be made public. Audiences and stakeholders are catalogued below with recommendations for actions that can be taken now to establish or maintain relationships with them.

Communicating with these groups on a regular basis, before something happens, is key to setting a baseline with critical audiences so that there is a level of understanding around the issue that allows mutual alignment on escalation and coordinated response. In order to provide this ongoing education, we recommend communicating early and often, in addition to when moments of interest (i.e., elections) arise. This baseline work could take the form of behind-the-scenes demonstrations and briefings for your audiences.

Stakeholders may include:



State / Local Comms.
Counterparts



Law Enforcement



Federal / State
Lawmakers



Media



Interested Parties

State and Local Communications Counterparts: Knowing your state and local counterparts is key to the planning and response actions discussed in later phases. The EI GCC should maintain a “living list” of communications officials and accurate contact information, so these individuals can be reached on short notice for incident coordination and planning.

Law Enforcement: In the event of a cyber incident, federal, state, and/or local law enforcement will be involved in the response. Creating and maintaining relationships with key law enforcement officials and associated communicators in law enforcement agencies ensures more seamless coordination and information-sharing before, during, and after an incident.

Federal/State Lawmakers: Federal and state lawmakers play an important role in authorizing and overseeing election and cybersecurity measures. They also are likely to speak publicly about an election-related cyber incident, so communication with them is

critical before, during, and after an incident. Not only are lawmakers beneficiaries of a safe and secure elections system, but they have a vested interest in maintaining the public's trust in that system. Communicators should build relationships with key figures in Congress and statehouses, including their respective communications staffs, in advance.

Media: The media is a key information conduit to voters, providing news and commentary that shapes and defines public opinion and a belief in the election system's integrity. Establishing ongoing relationships with key reporters who cover both cybersecurity and election-related issues at the national, state, and local level will be important in shaping accurate coverage throughout all phases of cyber-related preparation and response. You should focus on two categories of media:

Traditional Media—Mainstream outlets and reporters;

Influencer Media—This category includes influential bloggers, outlets, and commentators, as well as outlets likely to reach them.

Interested Parties: You should develop relationships with voting advocacy and other third-party groups, because they play a role in maintaining the public's confidence in elections. Political parties and campaigns are a critical group with which you should develop a trusted relationship in advance. Third-party groups may also include vendors, researchers specializing in elections, technology service providers, or other industry service providers. We recommend as a next step that the CCRG develop an initial list of key groups, which should be maintained and updated by the team lead.

This list could include:

Political Parties and Campaigns

Election Groups

Think Tanks

Academics

Phase 2: Communications Planning, Activation, and Coordination

Cyber-related incidents rely on evolving investigations, making their scope and impact difficult to understand, particularly at the outset. This can make communications decision-making, coordination, and messaging even more important for reducing confusion.

Some incidents may be discovered as an attack or breach occurs, while most tend to be discovered after the fact—often after significant time has passed. The key to an effective response is not just coordination but also knowing with whom to coordinate. In any response, there are likely to be multiple voices speaking publicly, at both the national or field level.

In this phase, we assume an anomalous event has been identified, which activates a communications coordination scheme. It may be detected by a range of entities, such as a security researcher, state/local election official, law enforcement, or media.

When an incident occurs, many representatives from a variety of organizations will become involved. The section below outlines resources, coordination mechanisms, lines of coordination, and a checklist to be used in response to, or in advance of, a cyber-related incident.

Assembling Key Players

Note: The U.S. Federal Government's National Response Framework outlines public information as an Emergency Support Function (ESF) and includes a framework for public information coordination and action around incidents that involve, or may involve, federal response. This process aligns with the ESF #15 Standard Operating Procedure.

CCRG Roles & Responsibilities: The CCRG should establish the following roles for responding to a multistate cyber incident. These individual roles can be filled by specific people from a variety of interested parties, which may include, but are not limited to, NASS, NASED, IGO, EAC, and NGA.

Please note that as the EI-GCC builds on this Guide, updates should include a table with these roles assigned to individuals, along with their contact information.

Communications Director—On behalf of the EI-GCC, oversees the functional coordination resources, processes, and staff. Is responsible for overall operational direction and communications messaging development in cooperation and coordination with EI-GCC and interested parties. The communications director position can be filled by different people on a rotating basis; for example, the EI-GCC could designate a communications director to stand duty quarterly. The role should be filled by a senior communicator from the EI-GCC participants or other interested parties and have the relevant management, crisis, and media operations experience to understand not only their role but also the other roles outlined as part of the CCRG.

Affected Community Communications Representatives—Usually senior communicators from affected state or local jurisdictions representing a “field” perspective and providing relevant incident-related information to the coordination process. This may include a communicator from the governor’s office and/or communicators from state and/or local elections offices.

Media Operations Director—Responsible for communication with reporters and for media monitoring on behalf of a multi-state communications coordinating body. Oversees near-term, “24-hour” communication operations, i.e., execution of communication plans.

Social Media Director—Responsible for online communications via ESCC web platforms, as well as coordination with interested parties’ digital media teams in order to promote and cross-promote content.

Communication Plans Director—Responsible for forward-looking communication plans beyond the immediate “24-hour” period.

Congressional/Inter-governmental Affairs Liaison—Responsible for coordinating congressional/governmental briefings for members of Congress, state legislatures, or other elected officials with communications staff. Coordinate through the Affected Community Communications Representative, who is likely to be a member of the ESCC or interested parties’ government affairs team.

Law Enforcement Affairs Liaison—Responsible for coordinating communications information with law enforcement and affiliated communicators.

Technical Liaison—Responsible for being the conduit of technical information between operational and communications teams. Ensures accuracy of technical data being released by communications team and serves as subject-matter expert for all such information.

Activation of the CCRG: The CCRG, while regularly communicating in Phase 1 during baseline operations, should plan for and exercise the activation of the CCRG in a crisis. Activation of the CCRG would be at the discretion of the Communications Director, with input from operational leads in response to a verified or potential incident. Additional information on the escalation process is in the Appendix available to election officials and can be obtained upon request from NASS, NASED, or the EAC

Generally speaking, this activation would be executed via a blast email to CCRG members with shareable background information on the incident, direction on the use of coordination mechanisms (discussed below), and next steps. For example, on discovery of a potential incident, the Communications Director would activate the CCRG by hosting an Election Sector Incident Communications Coordination Line call regarding the incident, thereby beginning the communications coordination process.

Election Sector Incident Communications Coordination Line (ESICCL): This bridge line is a standing conference call line that can be created to use for coordination before, during, or after a cyber-related incident. The CCRG will maintain a list of relevant contacts from federal, state, and local election offices in order to invite relevant parties to a call, should it be necessary. This resource does not currently exist and it would be incumbent upon the CCRG to coordinate the creation of this standing line at the outset.

Election Sector Information Center (ESIC): In the event of a multistate event, the CCRG should create a specific Information Center where communications activity is planned, coordinated, and executed real-time. This should include all the roles above and can reside in one physical location or it could be done virtually through online means. An ESIC would be the functional nerve center of all communications-related activity.

Coordination Mechanisms

Using the Election Sector Incident Communications Coordination Line (ESICCL)

As the standing conference call line for election sector cyber-related incidents, the ESICCL can be a key coordination mechanism for communicators to share both operational data, as well as coordinate messaging and communications-related activity.

Upon the activation of the CCRG, the Communications Director will stand up the ESICCL and distribute the time and conference line to invited participants for an initial conference call. This call could include representatives from affected communities, as well as the CCRG roles listed above and any other CCRG participants or outside advisors with relevant subject-matter expertise.

The call agenda can follow a regular rhythm:

- Roll call
- Opening remarks by Communications Director for CCRG
- Brief operations summary (on-scene reps or operations)
- Summary of major communications plans and events
- Invitee comments
- Messaging coordination requirements outlined by EI-GCC Representative
- Conclusion and next steps

Standing up the ESIC

Should an event rise to the level where ongoing, real-time coordinated public information flow is necessary, the CCRG could stand up either an in-person or virtual ESIC where personnel could work together.

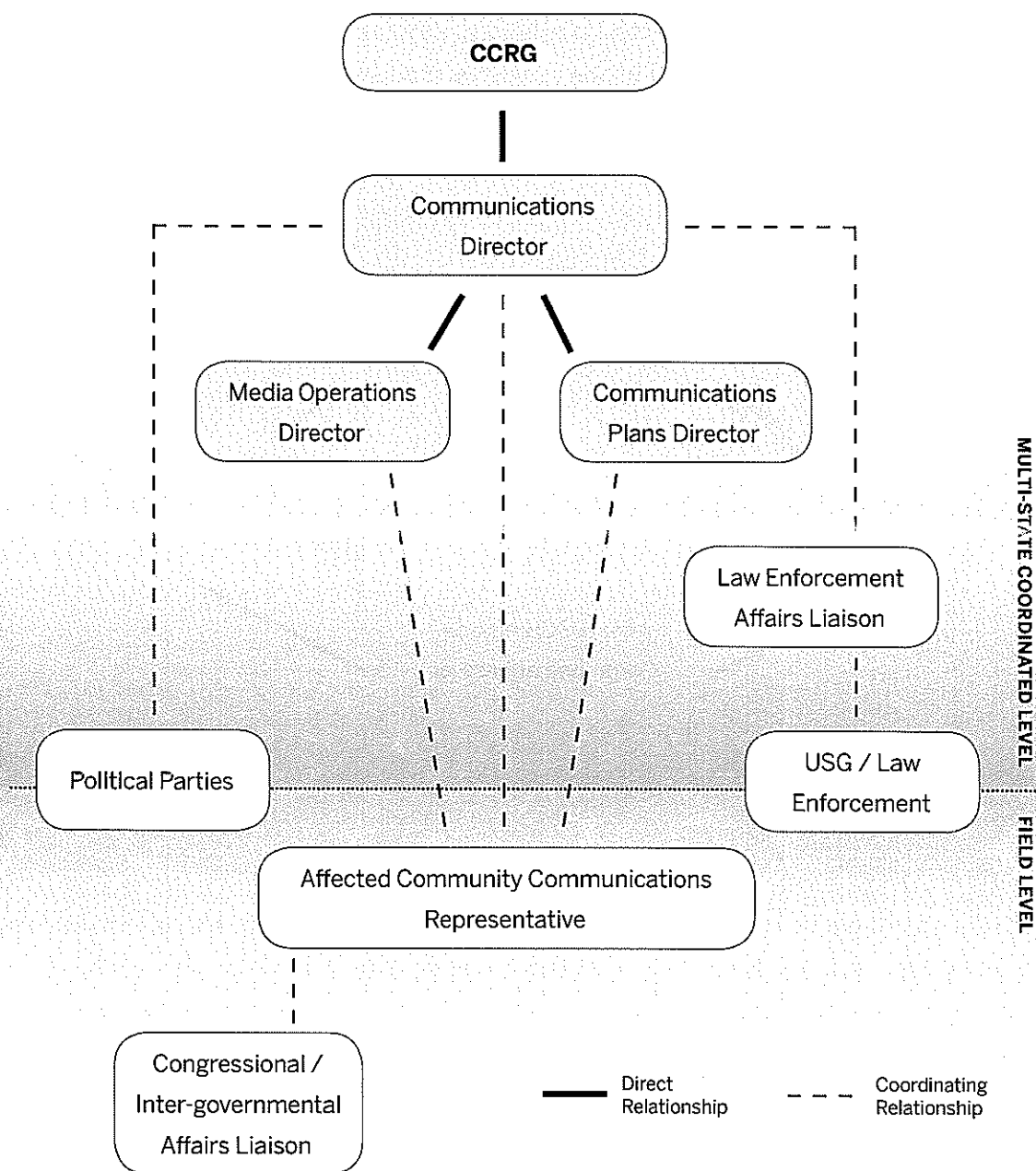
The ESIC would be stood up by the Communications Director, who would make a determination as to the critical personnel needed, as well as the location/online.

The CCRG, as part of steady-state planning, should identify both likely and convenient physical locations where an ESIC could reside should it be needed, as well as functional online collaboration tools to use in the event of a remote ESIC. In general, it is advisable to co-locate the ESIC with any space that is being used to coordinate operational response activity.

Current Coordination Processes

Should there be current coordination processes that are effective in sharing information, such as regular calls or email listservs, continue to use them—particularly prior to, or during the beginning phases of, activation. However, the scope and volume of an incident may make more direct communications, such as via the ESICCL or ESIC, more useful.

Lines of Coordination

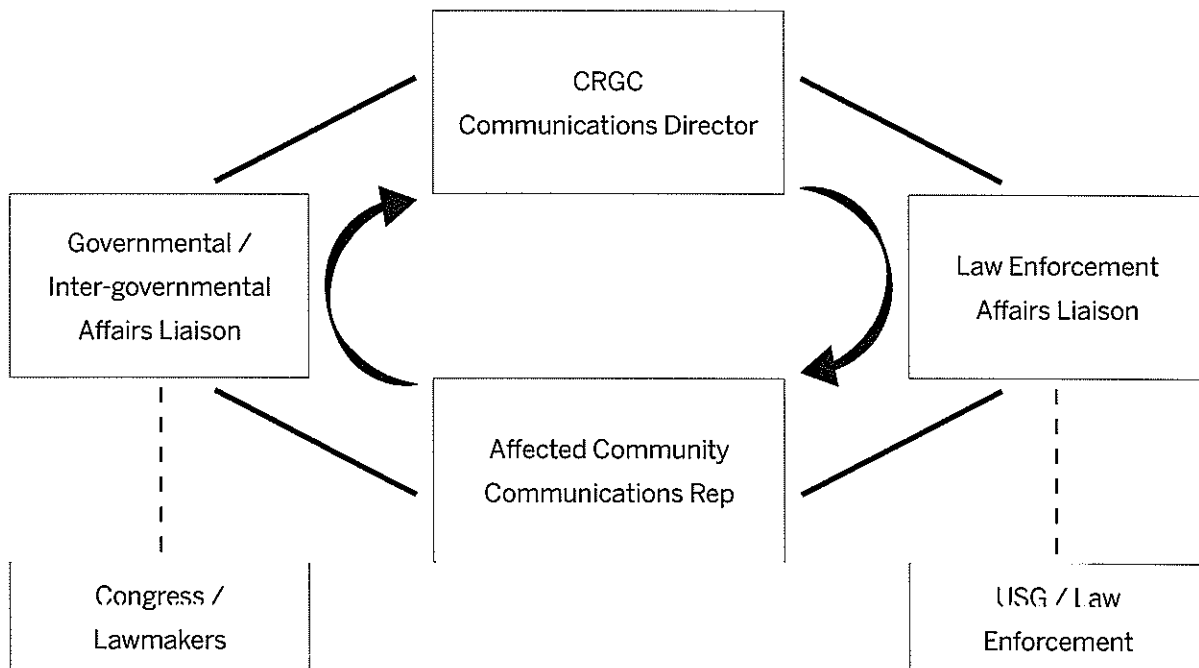


Phase 3: Message/Document Drafting, Coordination, and Distribution

Message/Document Drafting and Coordination

It is best to have some communications materials ahead of time; however, every incident is different and depends on a range of factors, so communicators will oftentimes have to adapt on the fly.

Messaging will need to be adapted, drafted, coordinated, and distributed quickly in order to effectively respond. In addition to the coordination resources, mechanisms, and processes described above, the diagram below shows how that loop may work practically, in and among the various parties who will be speaking publicly.

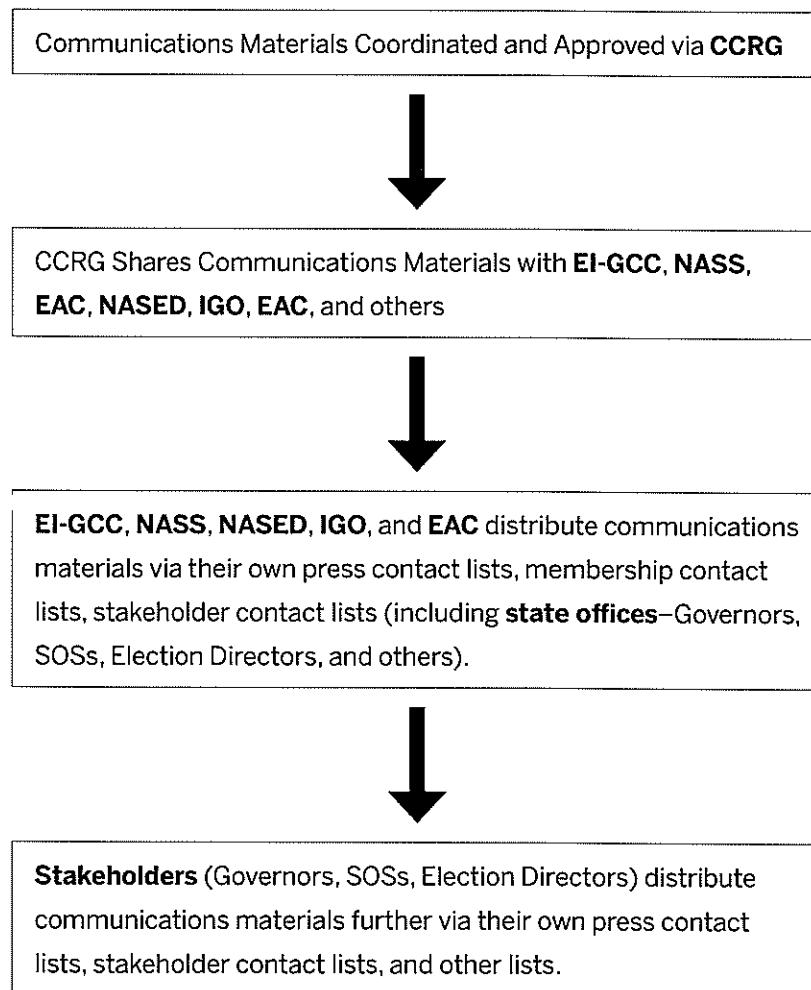


The CCRG staff will not necessarily retain authority to approve messages emanating from affected communities' communications staffs, nor vice versa; however, the CCRG staff can provide message guidance when needed or warranted. In addition, key inputs should be sought from Congressional/Inter-governmental Affairs and Law Enforcement Liaisons, and approval authority can be retained by those communicators with whom these liaisons work at their home agencies or organizations.

Distribution

Distribution of approved communications materials to the public and other stakeholders should leverage, and mirror, existing processes to the degree possible. The CCRG, by virtue of its makeup, with communications professionals from a variety of relevant organizations, should coordinate the messaging, but largely leave distribution to the organizational members.

A sample distribution process is illustrated below:



Phase 4: Evaluation and Feedback

Incorporating both real-time evaluation and feedback, as well as post-incident after-action reviews into your response is critical to both the response you are currently managing, and capturing lessons learned for the future.

Real-Time Evaluation

While capabilities and resources may differ greatly among affected communities, the CCRG could augment these by providing services that can assist the holistic communications response, including:

Media Monitoring—It is critical to understand how the media tone is shaping up. Media monitoring should be compiled at least daily, providing insight on tone and volume and identifying areas for further concentration or strategic/tactical communications changes.

Social Media Analysis—Similar to traditional media monitoring, social media listening tools and analysis can provide key insight into which messengers are driving conversation about the incident, as well as how voters are reacting to news and sharing information.

Call Center Analysis—If the affected community has a voter call center, it is important to track and analyze the questions and comments received. This information can be a key indicator of misinformation or provide insight into where efforts need to be expanded to get accurate information to voters.

Polling/Public Opinion Research—In order to gain more in-depth insights, polling or public opinion research can do much in terms of uncovering voter reactions to an election-related cyber incident, helping shape near and longer-term strategy.

After-Action Review and Report

Once an incident has concluded, it is important to review communications-related activities, discuss what worked and didn't work, and document those lessons to be incorporated into both steady-state and crisis planning.

Many of the coordination resources and mechanisms described above can be adapted for this purpose, for example the ESICCL call. The after-action process should analyze the incident from start to finish, examining the Plan-Prepare-Respond-Recover communications lifecycle of that incident.

Your after-action report should include:






- A summary of the incident;
- an overview of the operational response;
- the communications objectives;
- and by phase, with specificity:
 - concern
 - outcome
 - recommendations

This after-action process will assist in building your communications response capability and coordination in a resilient process that can be more effectively utilized when facing future incidents.

Communications Coordination and Response Checklist

This checklist will help guide actions prior to, and through, the first several days of a multi-state election-related cyber incident.

There are five lists:

-  **Before a cyber crisis**
-  **Before a cyber crisis becomes public**
-  **Multistate Election-Related Cyber Incident Assessment & Activation**
-  **Coordination/Communications Outreach**
-  **Products**

Before a cyber crisis

- ☐ Identify office protocol and a crisis communications team. (Should include IT).
- ☐ Create a list of terms with common nomenclature for use by all stakeholders.
- ☐ Set an internal communication plan with elections staff. (How often, when, and where will all staff meet? Information must travel up and down the chain of command with clear boundaries for disseminating information and interfacing with the public/media.)
- ☐ Ensure that all stakeholders can be reached in a crisis without access to networks or smart phones.
- ☐ Craft communications materials that can be used in a potential cyber incident. (For examples, elections officials may request sample materials from NASS, NASED, or the EAC.)
- ☐ Ensure that staff understand their role in a cyber incident. For those who do not have a specific role, ensure they understand why their work matters to the outside world and how they can continue doing their jobs while designated managers handle the cyber incident.
- ☐ Ensure that communications plans can be accessed and are regularly updated.



Before a cyber crisis becomes public

- ☐ Obtain technical briefing. (Assess and verify all information.)
- ☐ Decide whether to activate CCRG.
- ☐ Decide whether website can remain online. If you must disable it, launch a microsite (hosted on a different network) in its place.
- ☐ If email is potentially compromised, use an outside communications channel.
- ☐ Consult authorities, if needed.
- ☐ Meet internally in war room; set internal communication schedule.
- ☐ Determine CCRG roles and responsibilities, if you have not done so already.
- ☐ Assess stakeholders.
- ☐ Determine broad communications strategy.
- ☐ Prepare holding statement.
- ☐ Develop communications plan.
- ☐ Draft additional communications required to execute plan, including a communications rollout plan (includes communication with media, stakeholders, and employees).
- ☐ Establish plan for traditional and social media monitoring.
- ☐ Establish media response protocol.
- ☐ Notify affected employees, if necessary. It may be that only a small group of employees are informed initially. Communicate internally, as needed.
- ☐ Notify stakeholders (See list on reverse page), if appropriate, and galvanize support.



Multistate Election-Related Cyber Incident Assessment & Activation

- ☐ Notification to, and activation by CRCG, of a cyber-related incident or threat.
- ☐ Situation Assessment/Escalation.
 - ☐ **High-Intensity Incident:** Cyber-related incident that triggers reporting obligations, or one that is highly visible requiring response.
 - ☐ **Medium-Intensity Incident:** Cyber-related incident resulting in the loss or compromise of the data or systems, but no formal reporting obligations are triggered. There may be some awareness of the incident, however, spurring proactive communication.
 - ☐ **Low-Intensity Incident:** Cyber-related incident resulting in minor disruptions that may not be visible to public.
- ☐ If Major or Moderate, Media Operations Director and Communication Plans Director identified by Communications Director.
- ☐ Additional Relevant Personnel identified.
- ☐ Contact information for Relevant Personnel distributed.
- ☐ CRCG designates spokesperson, if applicable.
- ☐ Depending on assessment of situation, key messages determined based on specific scenario.



Coordination/Communications Outreach

- ☐ Communications Director activates ESICCL call.
- ☐ Incident Overview.
- ☐ Affected Communities Communications Representative Update.
- ☐ Initial Response Communications Plan.
 - ☐ Designate spokesperson based on type of incident, geography(ies) affected, and scope. In a Major Incident, the spokesperson role may include several people including a EI-GCC representative as well as an Affected Community spokesperson as well to share information at both a field and national level. In a Minor Incident, a single spokesperson may suffice, i.e. an Affected Community spokesperson.
 - ☐ Prep designated spokesperson for media engagement. This includes review of relevant facts and messaging as well as a peer review session, known as a "murder-board."
- ☐ Congressional/Inter-governmental Affairs Update.
- ☐ Congressional/Inter-governmental Affairs activity and plans.
- ☐ Law Enforcement Liaison Update.
- ☐ Law Enforcement Liaison activity and plans.
- ☐ Messaging Coordination outlined by Communications Director.
- ☐ Battle Rhythm (Daily Schedule).
- ☐ Conclusion & Next Steps.
- ☐ Communications Distribution & Rollout.
- ☐ ESIC activation, if necessary.



Products

- ☐ Staffing Plan with updates for Communications Director.
- ☐ Battle Rhythm (Daily Schedule).
- ☐ Staffing Matrix and Organization Chart.
- ☐ Communications Plan.
- ☐ Advisories.
- ☐ Press Releases.
- ☐ Traditional and Social Media Monitoring Reports.
- ☐ Regular/Daily update on response activities.
- ☐ Blog and Social Listening Updates.
- ☐ Talking Points.
- ☐ Website updates.
- ☐ Congressional/Inter-governmental Advisories, fact sheets, operations reports and briefing materials.
- ☐ Daily Communication Summary to include next day activity plans.

Conclusion

As we head into the next election cycle, we hope that this Guide provides additional tools to help the EI-GCC, and by extension election officials across the country, prepare for, and manage, this emerging and evolving cyber risk. As with all communications plans, we recommend that this one be regularly updated by the EI-GCC, as the council further develops and defines its role.

More information is available on different types of communications materials for responding to a cyber incident. Election officials seeking examples of these additional materials can request the communications materials appendix to this document from NASS, NASED, or the EAC.

Do you see a way to make this Playbook better?

Are there new technologies or vulnerabilities we should address?

We want your feedback.

Please share your ideas, stories, and comments on Twitter @d3p using the hashtag #electionplaybook or email us at connect@d3p.org so we can continue to improve this resource as the digital environment changes.

Defending Digital Democracy Project

Belfer Center for Science and International Affairs

Harvard Kennedy School

79 John F. Kennedy Street

Cambridge, MA 02138

www.belfercenter.org/D3P

Copyright 2018, President and Fellows of Harvard College

Illustration icons from the Noto Emoji project, licensed under Apache 2.0.

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, August 22, 2018 4:05 PM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA--Election security funding

Hello Everyone,

On March 23, 2018, the Consolidated Appropriations Act of 2018 was signed into law by the President. The Act included \$380 million in grants, made available to states to improve the administration of elections for Federal office, including to enhance technology and make certain election security improvements. The 2018 HAVA Election Security Fund, authorized under Title I Section 101 of the Help America Vote Act ("HAVA") of 2002, marks the first new appropriations for HAVA grants since FY2010. This funding will provide states with additional resources to secure and improve election systems.

A few basic points about the funding:

- It is significantly less funding than what was awarded to Texas in the first round of HAVA (\$24.4MM versus \$229MM).
- Texas was required to submit a narrative and budget to the US Election Assistance Commission (EAC), a copy of which is available at <https://www.eac.gov/payments-and-grants/hava-funds-state-chart-view/>.
- The Texas narrative includes three basic categories of expenses:
 - Election Auditing and Cyber Vulnerabilities: Security Services for Counties
 - Voter Registration Systems and Management and Election Management: Security Enhancements and Integration
 - Voting Equipment Replacement and Upgrades: Contract Solutions (There is not enough money to sub-grant funds to the counties to purchase voting systems, but the state will explore contract solutions to economize resources to make voting systems more affordable to the counties.)

As part of the expenditures for the "Election Auditing and Cyber Vulnerabilities: Security Services for Counties" category, SOS has partnered with the Texas Department of Information Resources ("DIR"), which is a state agency established to provide technology leadership, solutions, and value to Texas state government, education, and local government entities to enable and facilitate the fulfillment of their core missions. DIR offers a number of services, including a cooperative purchasing program where DIR effectively negotiates contracts and harnesses the bulk buying power of the state. DIR also has a Shared Technology Services Program that provides organizations access to managed IT as a service.

One of the shared services offered by DIR with significant relevance to the HAVA Security Grant is Managed Security Services ("MSS"). MSS consists of three main service components: Security Monitoring and Device Management, Incident Response, and Risk and Compliance. Each component contains a subset of security-related services to choose from to help meet organizational security needs.

DIR has executed a contract with AT&T through a competitive procurement process, for county security assessments through the MSS program. In a nutshell, the services include a security assessment of your entire elections effort, including processes and staff procedures, in addition to your use of IT systems and a darknet/internet scan. Accordingly, you may benefit from these services even if you use paper ballots for your elections. Results will be provided in a non-

technical scorecard format to give you a clear, actionable path to improved security. Your assessment results will be confidentially shared with your county and will not be shared with SOS. SOS will, however, receive aggregate data to help us determine any remediation efforts we will offer going forward.

SOS has budgeted enough funds to pay for each county's assessment, and all counties are encouraged to utilize these services. Goods or services procured outside of the contract with AT&T referenced above will **not** be reimbursed by the state. In order to participate, please email ElecAssessment@sos.texas.gov to let SOS know you are interested in participating in the program, and follow proper county procedures to authorize participation in the program (e.g., commissioners court approval). You must designate an official to act for the county in all matters relating to the program, and be prepared to execute various documents with DIR and AT&T relating to the assessment. AT&T and SOS will be following up on this e-mail to assist counties with registering for this process. Assessments will be scheduled as 4-8 week engagements (a short visit onsite followed by several weeks of analysis offsite), depending on the size of the county (based on voter registration). DIR plans to invoice SOS directly for the assessments, and, accordingly, there are no funds anticipated to be received or spent by counties participating in this program.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, August 29, 2018 4:32 PM
Subject: Mass Email --County Judges-- General Election Duties for County Judges (CC/EA)
Attachments: Proclamation.pdf; General Election Duties Memo for County Judges.pdf

Dear County Officials,

On November 6, 2018, the general election for state and county officers will be held. The Governor's Proclamation for the General Election is attached. This memorandum summarizes your duties as county judge for these elections.

Ordering the Election

On Friday, August 24, 2018 the Governor ordered the general election for state and district offices to be held on November 6, 2018. One of the county judge's official election-related duties for the November 6, 2018 general election is to order the election for county and precinct offices. You may use the Secretary of State's form to order the election.

Notice of the Election

The notice must contain the following information, and you may use the Secretary of State's form for this notice:

1. The type and date of the election;
2. The location of each polling place;
3. The hours the polls will be open;
4. The location of the main early voting polling place;
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting, if any; and
7. The early voting clerk's mailing address.
8. We **recommend** that the information regarding branch early voting locations be included as part of your notice.

The following forms may be used:

- [Notice of General Election for Counties \(PDF\)](#)
- [Notice of Special Election for Counties \(PDF\)](#)

Providing Notice of the Election

Counties are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1). Counties must also post a copy of the notice on the governmental bulletin board used for posting notice of public meetings no later than the 21st day before election day, Tuesday, October 16, 2018. (Sec. 4.003(b)).

Certification of Candidates for County and Precinct Officers

You are required to certify any independent or write-in candidates to the County Clerk/Elections Administrator no later than Thursday, August 30, 2018. You may find the sample form for certification of independent candidates

online. You may find the sample form for certification of write-in candidates online. You do not have to use our forms. NOTE: If no write-in candidates filed, you must certify that fact by stating “none” on Form 3-14.

Writs of Election for Judges

You are also responsible for sending to each election judge a writ of election, which is notice to the judge of his/her duty to hold the election on November 6, 2018. The writ must be sent no later than Monday, October 22, 2018. You may use the Secretary of State’s Form 4-12.

Canvassing the Election

The commissioners court must canvass the general election for state and county officers not earlier than November 9, 2018 and not later than November 20, 2018. The canvass cannot take place prior to the reconvening of the early voting ballot board to count any authorized late arriving ballots or to count provisional ballots. For more information, please see Advisory No. 2018-02 - Ballot by Mail Deadlines. Note that the **officially canvassed returns for the general election for state and county officers must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass.**

If you have any questions, please feel free to contact the Elections Division toll-free at 1-800-252-2216 or send an email to Elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

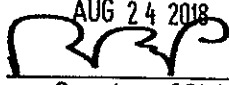
The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.



GOVERNOR GREG ABBOTT

August 24, 2018

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:41 PM O'CLOCK

AUG 24 2018

Secretary of State

The Honorable Rolando B. Pablos
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

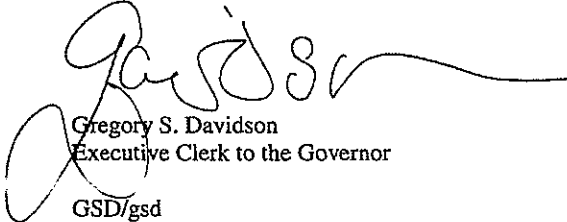
Dear Mr. Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following proclamation:

Ordering a general election to be held throughout the State of Texas on the 6th day of November, 2018.

The original of this proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

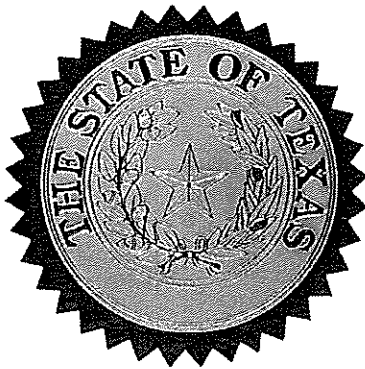
POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

PROCLAMATION
BY THE
Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

BE IT KNOWN THAT I, GREG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, DO HEREBY ORDER A GENERAL ELECTION to be held throughout the State of Texas on the first TUESDAY NEXT AFTER THE FIRST MONDAY IN NOVEMBER, 2018, being the 6th day of NOVEMBER, 2018; and

NOTICE THEREOF IS HEREBY GIVEN to the people of Texas and to the COUNTY JUDGE of each county who is directed to cause said election to be held at each precinct in the county on such date for the purpose of electing state and district officers, members of the Texas Legislature, and members of the United States Congress, as required by Section 3.003 of the Texas Election Code.



IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 24th day of August, 2018.

A handwritten signature in cursive script, reading "Greg Abbott", written in black ink over a horizontal line.

GREG ABBOTT
Governor of Texas

ATTESTED BY:

A handwritten signature in cursive script, reading "Rolando B. Pablos", written in black ink over a horizontal line.

ROLANDO B. PABLOS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2 PM O'CLOCK

AUG 24 2018

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, August 29, 2018 5:24 PM
To: Elections Internet
Subject: MASS EMAIL - CC/EA/VR (894) - Election Security Assessments
Attachments: Joint Letter to County Elections Administrators_8.29.18.pdf; Interlocal Contract Template.pdf; Managed Security Services Contract Template.pdf; Addendum to ILC.pdf

Dear County Election Officials:

Attached, please find a joint letter and enclosed documents on behalf of Texas Secretary of State Rolando Pablos and Texas Department of Information Resources Executive Director Stacey Napier regarding election security assessments for your county.

Should you have any questions, please let us know.

Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: County Judges

FROM: Keith Ingram, Director of Elections 

DATE: August 29, 2018

RE: Election Duties for November 6, 2018

On November 6, 2018, the general election for state and county officers will be held. Enclosed please find a copy of the Governor's Proclamation for the General Election. This memorandum summarizes your duties as county judge for these elections.

Ordering the Election

On Friday, August 24, 2018 the Governor ordered the general election for state and district offices to be held on November 6, 2018. One of the county judge's official election-related duties for the November 6, 2018 general election is to order the election for county and precinct offices. You may use the Secretary of State's form to order the election.

Notice of the Election

The notice must contain the following information, and you may use the Secretary of State's form for this notice:

1. The type and date of the election;
2. The location of each polling place;
3. The hours the polls will be open;
4. The location of the main early voting polling place;
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting, if any; and
7. The early voting clerk's mailing address.
8. We *recommend* that the information regarding branch early voting locations be included as part of your notice.

The following forms may be used:

- [Notice of General Election for Counties \(PDF\)](#)
- [Notice of Special Election for Counties \(PDF\)](#)

Providing Notice of the Election

Counties are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1). Counties must also post a copy of the notice on the governmental bulletin board used for posting notice of public meetings no later than the 21st day before election day, Tuesday, October 16, 2018. (Sec. 4.003(b)).

Certification of Candidates for County and Precinct Officers

You are required to certify any independent or write-in candidates to the County Clerk/Elections Administrator no later than Thursday, August 30, 2018. You may find the sample form for certification of independent candidates [online](#). You may find the sample form for certification of write-in candidates [online](#). You do not have to use our forms. NOTE: If no write-in candidates filed, you must certify that fact by stating “none” on Form 3-14.

Writs of Election for Judges

You are also responsible for sending to each election judge a writ of election, which is notice to the judge of his/her duty to hold the election on November 6, 2018. The writ must be sent no later than Monday, October 22, 2018. You may use the Secretary of State’s [Form 4-12](#).

Canvassing the Election

The commissioners court must canvass the general election for state and county officers not earlier than November 9, 2018 and not later than November 20, 2018. The canvass cannot take place prior to the reconvening of the early voting ballot board to count any authorized late arriving ballots or to count provisional ballots. For more information, please see Advisory [No. 2018-02 - Ballot by Mail Deadlines](#). Note that the **officially canvassed returns for the general election for state and county officers must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass.**

If you have any questions, please feel free to contact the Elections Division toll-free at 1-800-252-8683 or send an email to Elections@sos.texas.gov.

KI:CA:KH



August 29, 2018

Dear County Elections Administrator:

First, we would like to thank you and your colleagues for your tireless work to uphold the integrity and security of elections in the State of Texas. As part of our shared commitment to enhancing election infrastructure security, the Texas Secretary of State's office (SOS) and the Texas Department of Information Resources (DIR) have partnered to offer election security assessments to all 254 Texas counties using funds from our state's share of the 2018 Help America Vote Act (HAVA) grant disbursement. As you are aware, DIR has executed a contract with AT&T to provide county security assessments, at no cost to your county, through the agency's Managed Security Services (MSS) program. Last week, you received an e-mail from the SOS Director of Elections with instructions on how to initiate your county's assessment.

With the November election swiftly approaching, we urge you to take full advantage of the free election security assessment service as soon as possible so that you, your fellow election officials, and county leadership can have a detailed roadmap for the security enhancements your office may need to ensure the continued integrity of your elections infrastructure – enhancements that can be subsidized using funds from the 2018 HAVA disbursement. As each county's assessment may take 4-8 weeks, depending on the size of your county, we strongly encourage you to initiate the process now by e-mailing ElecAssessment@sos.texas.gov and following proper county procedures (gaining approval from your commissioners court) to authorize participation in the program.

After indicating your desire to participate, you must designate an official to serve as the county's liaison on all matters relating to the program and be prepared to execute documents with DIR and AT&T regarding the assessment. We have enclosed copies of the Interlocal Contract (ILC) Template, MSS Contract Template, and Addendum to the ILC for your review. Should you have any questions on these documents, please contact DIRSharedServices@dir.texas.gov at DIR.

Thank you again for your commitment to strengthening the security of our state's elections, and we look forward to working with you to ensure Texas voters can continue to cast their ballots with confidence in 2018 and beyond.

Sincerely,

Rolando B. Pablos
Texas Secretary of State

Stacey Napier
Executive Director, Texas Department of Information Resources

Encl; Interlocal Contract Template, Managed Security Services Contract Template, Addendum to ILC

**INTERLOCAL CONTRACT
BETWEEN
THE DEPARTMENT OF INFORMATION RESOURCES
AND
XXXX
RELATING TO THE USE OF THE DIR SHARED SERVICES MASTER SERVICE
AGREEMENTS**

This Interlocal Contract ("ILC" or "Contract") is entered into by the governmental entities shown above as contracting parties (referred to individually as a "Party" and collectively as the "Parties") pursuant to the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code. This ILC is created to give effect to the intent and purpose of Subchapter L, Chapter 2054, Texas Government Code, concerning statewide technology centers, specifically sections 2054.376(a)(3), 2054.3771, and 2054.3851.

The entity receiving services under the DIR Shared Services Contracts through this ILC is hereinafter referred to as the "Receiving Entity" or the "DIR Customer."

This ILC authorizes DIR Customer to participate in the Department of Information Resources ("DIR" or "Performing Agency") Shared Services Program. The DIR Shared Services Program includes contracts that have been competitively procured by DIR. All specific services and products are purchased through the DIR Shared Services Program contracts and subject to the processes and terms therein.

DIR's Shared Services Program provides for a Multisourcing Service Integrator (MSI) service provider ("MSI SCP") and various Service Component Providers ("SCP"). The Shared Services Master Service Agreements, as amended, are defined on the Shared Services web page on the DIR website ("DIR Shared Services Contracts") and are incorporated herein. Unless otherwise referenced, the references to Exhibits and Attachments herein are references to Exhibits and Attachments of the DIR Shared Services Contracts.

DIR Customer acknowledges and agrees that this ILC is with DIR and, therefore, DIR Customer does not have privity of contract with the SCPs.

Capitalized terms not defined herein shall have the meaning set forth in the relevant DIR Shared Services Contract.

**SECTION I
CONTRACTING PARTIES**

DIR CUSTOMER: XXXX

PERFORMING AGENCY: Department of Information Resources

SECTION II

STATEMENT OF SERVICES TO BE PERFORMED

2.1 Effect of ILC and General Process

The DIR Shared Services Program offers a variety of services and related support and products. The list of such services is provided through the DIR Shared Services Catalog and the DIR Shared Services portal. Further, SCPs may work with third-party vendors to provide additional services or products within the requirements of the relevant DIR Shared Services Contract.

This ILC describes the rights and responsibilities of the Parties relating to implementation, operation, maintenance, use, payment, and other associated issues by and between DIR Customer and DIR related to the Services to be provided through the DIR Shared Services Contracts. DIR Customer shall receive the Services described in the DIR Shared Services Contracts, subject to the terms of the relevant DIR Shared Services Contracts and this ILC. DIR Customer is only subject to those specific terms to the extent DIR Customer requests services or products through those specific DIR Shared Services Contracts.

The details of specific processes and procedures are contained in the relevant Service Management Manual ("SMM"), developed by the MSI and/or SCPs, approved by DIR, and incorporated herein. The DIR Shared Services Contracts require the MSI and SCPs to develop appropriately documented policies, processes, and procedures and to provide training to DIR Customer personnel where required to ensure effective service interfaces, before approval and adoption of the SMM.

The terms of the relevant DIR Shared Services Contracts will apply to this ILC and will remain in full force and effect except as may be expressly modified by any amendment to the specific DIR Shared Services Contract. Such amendments will automatically apply to this ILC with no further action by the Parties. DIR shall keep DIR Customer generally informed of such amendments and provide the opportunity to provide input to DIR through the Shared Services portal as well as the DIR Shared Services Program Governance structure described below.

2.2 DIR Shared Services Program Process

To obtain Services, DIR Customer shall either order services directly through the MSI Marketplace portal where certain services and pricing are established or request certain services and products through the Request for Services process. This process is detailed in the relevant SMM for each SCP. SCP(s) will respond with a proposal, including the proposed solution or service, estimated cost or other financial obligations, if any, and any other relevant program-specific terms and conditions related to the services provided for in response to the Request for Service. DIR Customer may accept or decline those terms and services at that time. The final DIR Customer approved technical solution, financial solution, and related terms are contractually binding terms that incorporate the terms of

this ILC and the relevant Shared Services Contract(s). Later termination of a Service or solution after an original approval or any pre-payment, may result in additional cost to the DIR Customer and may not allow for any refund of payments already made.

2.3 Change Orders and Change Control

In accordance with the relevant SMM and Shared Services Contract requirements, DIR Customer will coordinate with the MSI and/or SCP for all change requests. Change Control processes and authority may vary between DIR Shared Services Contracts as it relates to the rights of Customers to request changes. Further, Change Control does not allow DIR Customers to alter terms and conditions of the DIR Shared Services Contracts.

SECTION III DIR CUSTOMER PARTICIPATION

3.1 General Shared Services Governance

Governance of the DIR Shared Services Program is based on an owner-operator approach in which DIR Customers, in the role of operator, actively work with all SCPs to resolve local operational issues and participate in committees to address enterprise matters. Enterprise-level decisions, DIR Customer issues, and resolution of escalated DIR Customer-specific issues are carried out by standing governance committees, organized by subject area and comprised of representatives from DIR Customers, DIR management, SCP management, MSI management, and subject-matter experts. DIR Customers are structured into partner groups that select representatives to participate in these committees. DIR Customer shall participate within this Governance structure as described above and within the relevant SMM(s) ("Shared Services Governance").

3.2 DIR Customer and SCP Interaction and Issue Escalation

In accordance with the relevant SMM(s), DIR Customer shall interface with SCPs on the performance of "day-to-day" operations, including work practices requiring SCP and DIR Customer interaction, issues resolution, training, planning/coordination, and "sign-off." All issues are intended to be resolved at the lowest level possible. In those instances where it becomes necessary, the following escalation path is utilized. If DIR Customer is not able to resolve an issue directly with SCP staff, DIR customer escalates the issue to SCP management. If the issue cannot be resolved by SCP management, DIR Customer escalates to DIR. If the issue cannot be resolved by DIR, DIR Customer escalates to the appropriate DIR Shared Services Program Governance committee.

3.3 DIR Customer Specific Laws

Per the Compliance with Laws section of the DIR Shared Services Contracts, DIR Customer shall notify DIR, in writing, of all DIR Customer-specific laws ("DIR Customer-Specific Laws"), other than SCP Laws, that pertain to any part of DIR Customer's business that is supported by SCPs under the DIR Shared Services Contracts, and DIR

will notify SCPs, in writing, of such DIR Customer-Specific Laws. The Parties intend that such DIR Customer-Specific Laws will be identified and included in the portion of the SMM specific to DIR Customer. DIR Customer shall use commercially reasonable efforts to notify DIR, in writing, of any changes to DIR Customer-Specific Laws that may, in any way, impact the performance, provision, receipt and use of Services under the DIR Shared Services Contracts. DIR shall advise SCPs of such change and require that any changes to DIR Customer-Specific Laws are identified and included in the SMM. If necessary to facilitate DIR compliance with the requirements of the DIR Shared Services Contracts, DIR Customer shall provide written interpretation to DIR of any DIR Customer-Specific Law.

3.4 DIR Customer responsibilities

Where appropriate, DIR Customer shall support the following:

- (a) Software currency standards are established for the Shared Services environment through the owner operator governance model. DIR Customers will be engaged in approval of these standards and the development of technology roadmaps that employ these software currency standards. DIR Customers are expected to remediate applications in order to comply with the standards
- (b) Technology standards (e.g. server naming standards, reference hardware architectures, operating system platforms) are established through Shared Services Governance. DIR Customers will adhere to these standards. Any exceptions will follow governance request processes.
- (c) DIR Customer shall ensure network connectivity and sufficient bandwidth to meet DIR Customer's needs.
- (d) DIR Customers will collaborate with SCPs to establish and leverage standard, regular change windows to support changes to enterprise systems. These change windows will be constructed to support varying degrees of service impact, from planned down-time to no service impact. Standard enterprise changes during these windows may affect all systems in one or more of the consolidated data centers simultaneously.
- (e) DIR Customers will support the consolidation of commodity services into shared enterprise solutions that leverage common management and configuration practices delivered by the service providers. Examples of such commodity services are SMTP mail relay and DNS management.
- (f) DIR Customers will support and align with standard enterprise Service Responsibilities Matrixes and associated processes for obtaining an exception or making improvements to the standard enterprise Service Responsibility Matrixes.

3.5 DIR Customer Equipment and Facilities

Any use by SCPs of DIR Customer Equipment and/or Facilities shall be limited to the purpose of fulfilling the requirements of this ILC or the DIR Shared Services Contracts.

DIR Customer will retain ownership of DIR Customer Equipment. DIR Customer shall comply with DIR refresh policies, as amended from time to time by DIR.

3.6 DIR Customer Contracts, Leases, and Software with Third Parties

DIR Customer will make available for use or use its best efforts to cause to be made available for use by DIR and/or SCPs the DIR Customer Contracts and Leases with third parties ("DIR Customer Third Party Contracts and Leases") and DIR Customer third party software ("DIR Customer-Licensed Third Party Software") that pertain to the Shared Services. Any use by DIR and/or SCPs of DIR Customer Third Party Contracts and Leases and/or DIR Customer-Licensed Third Party Software shall be limited to fulfilling the requirements of this ILC or the DIR Shared Services Contracts.

SCPs shall obtain all Required Consents in accordance with DIR Shared Services Contracts. DIR Customer will use its best efforts to assist SCPs to obtain from each Third Party Software licensor the right to use the DIR Customer-Licensed Third Party Software for Services provided under the DIR Shared Services Contracts. Except to the extent expressly provided otherwise and in accordance with the DIR Shared Services Contracts, SCPs shall pay all transfer, re-licensing, termination charges and other costs or expenses associated with obtaining any Required Consents or obtaining any licenses or agreements as to which SCPs are unable to obtain such Required Consents. If requested by DIR, DIR Customer shall cooperate with SCPs in obtaining the Required Consents by executing appropriate DIR approved written communications and other documents prepared or provided by SCPs.

3.7 Security

DIR Customer shall comply with recommended relevant security standards and relevant SCP security guides, as amended from time to time by DIR, the MSI, or the SCP. DIR Customer shall inform DIR as to any DIR Customer specific security considerations.

DIR Customer acknowledges that any failure on its part to follow recommended security standards, policies, and procedures may place its own data and operations at risk as well as those of SCP(s) and other governmental entities. DIR Customer accepts the related potential risks and liabilities that are created by DIR Customer's failure to comply with the recommendations if it is determined such recommendations would have prevented an issue. DIR accepts no responsibility for the risk or liability incurred due to a DIR Customer's decision to not follow DIR's recommendations. SCP will not be liable for violations of security policies and procedures by DIR Customer. Additionally, failure to comply with security standards, policies, and procedures may lead to the suspension or

termination of the availability of certain Applications and services. SCP will give DIR and the DIR Customer notification of non-compliance.

SECTION IV CONTRACT AMOUNT

In accordance with terms of the DIR Shared Services Contracts, including all relevant pricing and accepted Request for Services proposals, and this ILC, DIR Customer shall be responsible for and agrees to pay DIR the applicable Charges for Services received from the SCPs and the MSI, Services DIR Customer agrees to pre-pay, the DIR recovery fees, any allocated charges, and any Pass Through Expenses incurred by DIR or SCPs on behalf of DIR Customer. The applicable fees are set out in the relevant DIR Shared Services Contracts as incorporated herein and, if applicable, specifically addressed in response to any Request for Services. Certain pricing is based upon DIR Customer's specific consumption; therefore, DIR Customer controls the amounts and duration of the contract amounts. It is understood and agreed that amounts are subject to change depending upon Services required and/or requested and approved and further dependent upon legislative direction and appropriations available for such Services.

Attachment A provides the estimated spend for services as approved by DIR Customer. This form may be revised and updated by DIR Customer as needed without a formal amendment from DIR by DIR Customer submitting to DIR an updated form. DIR Customer must adhere to its own policies and processes for authorizing an adjustment to such amounts internally. DIR Customer is solely responsible for monitoring compliance with Attachment A and to communicate any changes to Attachment A to DIR. DIR shall not be responsible for monitoring or ensuring such compliance.

SECTION V PAYMENT FOR SERVICES

DIR shall electronically invoice DIR Customer for Services on a monthly basis. Each invoice shall include the applicable monthly charges for Services received from the SCPs, the DIR recovery fees, all allocated charges, and any Pass-Through Expenses incurred by DIR or SCPs on behalf of DIR Customer in accordance with the DIR Shared Services Contracts.

The DIR recovery fees shall be reviewed at least annually in accordance with the requirements for billed statewide central services as set forth in OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments (as updated, revised or restated) and other applicable statutes, rules, regulations and guidelines. DIR shall retain documentation for the DIR recovery fees. DIR fees are also determined and reported in accordance with DIR processes and sections 2054.0345-0346 of the Texas Government Code.

Each invoice shall include sufficient detail for DIR Customer to allocate costs to all federal and state programs in accordance with the relative benefits received and to make federal claims according to the federal cost plan of DIR Customer.

In order to allow DIR to meet the statutory payment requirements in Chapter 2251, Texas Government Code, DIR Customer shall make monthly payments by check or Electronic Funds Transfer (EFT) within twenty (20) days following receipt of each invoice from DIR. For purposes of determination of the payment due date, DIR and DIR Customer shall use the date when the invoice is electronically transmitted by DIR to DIR Customer and posted on the chargeback system along with reports that substantiate the service volumes and associated charges. Although cash flow considerations require timely payments as required herein, the rights of DIR Customer and DIR to dispute charges shall be consistent with Texas law.

The MSI SCP is required to develop and maintain a chargeback system. DIR shall coordinate requirements and functionality for the chargeback system with DIR Customer needs and requirements under federal and state requirements for invoiced charges generated through the system. DIR Customer shall utilize this chargeback system to link the designated measurable activity indicators (such as applications or print jobs) with the appropriate financial coding streams. DIR Customer shall update this information monthly, or at such other intervals as are necessary, to enable the MSI SCP to generate accurate invoices reflecting the appropriate distribution of costs as designated by DIR Customer.

DIR Customer is liable for all costs and expenses associated with providing Services under the ILC to the extent such costs and expenses have been incurred by DIR and such Services have been provided to DIR Customer or DIR Customer agrees to pay for such Services prior to receiving them.

Except as allowed in Texas Government Code, Chapter 2251, DIR Customer shall have no right to set off, withhold or otherwise reduce payment on an invoice. In accordance with Texas Government Code, Section 791.015, to ensure enforceability of payment obligations, DIR Customer consents to DIR presenting this ILC and all unpaid invoices to the alternate dispute resolution process, as set forth in Chapter 2009, Texas Government Code. Provided, however, that such consent shall not constitute an agreement or stipulation that Services have been provided or that the invoices are correct. DIR Customer expressly retains all rights to which it is entitled under Texas Government Code, Chapter 2251, in the event of a disagreement with DIR as to whether Services have been provided and accepted or an invoice contains an error.

If DIR Customer disputes an invoice, it shall present the billing dispute in writing directly to the MSI through the Service Catalog within four (4) invoice cycles after the date DIR Customer receives the invoice and reports that substantiate the service volumes and associated Charges from DIR. DIR Customer will provide to the MSI all relevant documentation to justify the billing dispute.

SECTION VI

TERM AND TERMINATION OF CONTRACT AND SERVICES

6.1 Term and Termination of ILC

The term of this ILC shall commence upon start of services or execution of this ILC, whichever shall come earlier, and shall terminate upon mutual agreement of the Parties.

This ILC is contingent on the continued appropriation of sufficient funds to pay the amounts specified in DIR Customer's Requests for Services, including the continued availability of sufficient relevant federal funds if applicable. Continuation of the ILC is also contingent on the continued statutory authority of the Parties to contract for the Services. If this ILC is terminated for any reason other than lack of sufficient funds, lack of statutory authority, or material breach by DIR, DIR Customer shall pay DIR an amount sufficient to reimburse DIR for any termination charges and any termination assistance charges incurred under the DIR Shared Services Contracts and this ILC as a result of such termination by DIR Customer. DIR Customer shall provide at least ninety (90) days' written notice to DIR prior to termination. Payment of such compensation by DIR Customer to DIR shall be a condition precedent to DIR Customer's termination.

DIR and DIR Customer acknowledge and agree that compliance with federal law and ongoing cooperation with federal authorities concerning the expenditure of federal funds in connection with the DIR Shared Services Contracts and this ILC are essential to the continued receipt of any relevant federal funds.

6.2 Termination of Services

If DIR Customer terminates certain Services, that it requested and approved, for convenience, DIR Customer shall pay the remaining requisite unrecovered costs that have already been incurred prior to the notice of termination, such unrecovered costs will be calculated in accordance with the relevant Shared Services Contract, SMM, or the approved services proposal and related terms. DIR Customer understands that it may not be able to terminate services or receive any refund of a pre-payment after approving the relevant financial solution.

SECTION VII

MISCELLANEOUS PROVISIONS

7.1 Public Information Act Requests

Under Chapter 552, Texas Government Code (the Public Information Act), information held by SCPs in connection with the DIR Shared Services Contracts is information collected, assembled, and maintained for DIR. DIR shall respond to Public Information Act requests for SCP information. If DIR Customer receives a Public Information Act request for SCP information that DIR Customer possesses, DIR Customer shall respond

to the request as it relates to the information held by DIR Customer. Responses to requests for confidential information shall be handled in accordance with the provisions of the Public Information Act relating to Attorney General Decisions. Neither Party is authorized to receive or respond to Public Information Act requests on behalf of the other. If SCP or DIR receives a Public Information Act request for information or data owned by DIR Customer, DIR or SCP will refer the requestor to DIR Customer.

7.2 Inventory Control

DIR shall coordinate financial accounting and control processes between DIR Customer and SCPs and ensure inclusion of reasonable control and reporting mechanisms, including any control and reporting mechanisms specifically required by DIR Customer, in the Service Management Manual. Such procedures shall specifically recognize DIR Customer requirements for inventory control and accounting for state owned and leased equipment and facilities, including hardware, software, contracts, and other items of value that may be utilized by, or authorized for use under the direction and control of SCPs.

7.3 Confidential Information

DIR shall require SCPs to maintain the confidentiality of DIR Customer information to the same extent that DIR Customer is required to maintain the confidentiality of the information, and with the same degree of care SCPs use to protect their own confidential information. DIR acknowledges that DIR Customer may be legally prohibited from disclosing or allowing access to certain confidential data in its possession to any third party, including DIR and SCPs. The relevant SMM shall document detailed confidentiality procedures, including the process DIR Customer shall follow to identify confidential information it is legally prohibited from disclosing or allowing access to by DIR and SCPs and including confidentiality procedures required that are specific to DIR Customer. The DIR Shared Services Contracts sets forth the confidentiality obligations of SCPs.

DIR Customer shall notify DIR, in writing, (1) if DIR Customer is a covered entity subject to the Health Insurance Portability and Accountability Act (HIPAA) privacy regulations at 45 Code of Federal Regulations Parts 160 and 164, that is required to enter into a business associate agreement with DIR or SCPs; (2) if DIR Customer receives Federal tax returns or return information; and (3) if DIR Customer is subject to any other requirements specific to the provision of Services. If DIR Customer receives federal tax returns or return information, then DIR Customer must comply with the requirement of IRS Publication 1075 and Exhibit 7 to IRS Publication 1075. In the event a DIR customer is subject to additional requirement as mentioned in this section, DIR shall require SCPs to maintain the confidentiality of DIR Customer information in accordance with language included in Attachment B of this agreement. Such additional requirements as is included in Attachment B of this agreement shall be included in the relevant SMM.

7.4 Notification Information

Contact information for purposes of notification for each Party is set forth below.

DIR Customer's Primary Contact

Name: _____
Title: _____
Address: _____
Telephone: _____
Email: _____

DIR's Primary Contact

sharedservicescontractoffice@dir.texas.gov

The DIR Billing Contact is listed in the DIR Contacts section of the monthly Shared Services Payment Guidance letter, which is provided to the DIR Customer with the monthly Shared Services invoice.

7.5 Binding Effect

The Parties hereto bind themselves to the faithful performance of their respective obligations under this ILC.

7.6 Amendments

This ILC may not be amended except by written document signed by the Parties hereto or as specified within this ILC or the attachment being amended.

7.7 Conflicts between Agreements

If the terms of this Contract conflict with the terms of any other contract between the Parties, the most recent contract shall prevail. This Contract provides a general description of certain terms within the DIR Shared Services Contracts. If the terms of this Contract conflict with the terms of the DIR Shared Services Contracts, the DIR Shared Services Contracts' terms shall prevail. If the terms of this Contract conflict with the terms of an accepted proposal or solution from a Request for Services, this Contract shall prevail.

7.8 Responsibilities of the Parties

The Parties shall comply with all federal, state and local laws, statutes, ordinances, rules and regulations and with the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of the ILC. The parties do not intend to create a joint venture. Each Party acknowledges it is not an agent, servant or employee of the other. Each Party is responsible for its own acts and deeds and for those of its agents, servants and employees. Notwithstanding the foregoing, DIR will cooperate with

DIR Customer in all reasonable respects to resolve any issues pertaining to federal funding in connection with this ILC or the DIR Shared Services Contracts.

DIR and DIR Customer agree that Services contemplated in this ILC shall be governed by provisions in the DIR Shared Services Contracts regarding individual responsibilities of the parties, including Services provided by the SCPs. DIR Customer shall comply with all policies, procedures, and processes in the relevant SMM (s) and as provided by DIR. In the event DIR Customer actions, failure to perform certain responsibilities, or Request for Services result in financial costs to DIR, including interest accrued, those costs shall be the responsibility of DIR Customer. DIR and DIR Customer shall coordinate and plan for situations where conflicts, failure to perform or meet timely deadlines, or competition for resources may occur during the term of this contract. Unless otherwise specifically addressed, the governance process, addressed above, for the DIR Shared Services Contracts shall be used for issue resolution between DIR Customers, DIR and DIR SCPs.

7.9 Audit Rights of the State Auditor's Office

In accordance with Section 2262.154, Texas Government Code and other applicable law, the Parties acknowledge and agree that: (1) the state auditor, the Parties' internal auditors, and if applicable, the Office of Inspector General of DIR Customer or their designees may conduct audits or investigations of any entity receiving funds from the state directly under the Contract or the DIR Shared Services Contracts, or indirectly through a subcontract under the DIR Shared Services Contracts; (2) that the acceptance of funds directly through this Contract or indirectly through a subcontractor under the Contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, the Parties' internal auditors, and if applicable, the Office of Inspector General of DIR Customer or their designees to conduct audits or investigations in connection with those funds; and (3) that the Parties shall provide such auditors or inspectors with access to any information considered relevant by such auditors or inspectors to their investigations or audits.

7.10 General Terms

Except as expressly provided herein, no provision of this ILC will constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies or immunities available to DIR Customer. The failure to enforce or any delay in the enforcement of any privileges, rights, defenses, remedies, or immunities available to DIR Customer by law will not constitute a waiver of said privileges, rights, defenses, remedies, or immunities or be considered as a basis for estoppel. Except as expressly provided herein, DIR Customer does not waive any privileges, rights, defenses, remedies or immunities available to DIR Customer.

This Customer Agreement will be construed and governed by the laws of the State of Texas. Venue for any action relating to this Customer Agreement is in Texas state courts in Austin, Travis County, Texas, or, with respect to any matter in which the federal courts have exclusive jurisdiction, the federal courts for Travis County, Texas.

If one or more provisions of this ILC, or the application of any provision to any Party or circumstance, is held invalid, unenforceable, or illegal in any respect, the remainder of this ILC and the application of the provision to other Parties or circumstances will remain valid and in full force and effect.

Signatory Warranty

Each signatory warrants requisite authority to execute the ILC on behalf of the entity represented.

SECTION VIII CERTIFICATIONS

The undersigned Parties hereby certify that: (1) the matters specified above are necessary and essential for activities that are properly within the statutory functions and programs of the affected agencies of State Government; (2) this ILC serves the interest of efficient and economical administration of State Government; and (3) the Services, supplies or materials in this ILC are not required by Section 21, Article 16 of the Constitution of Texas to be supplied under contract given to the lowest responsible bidder.

IN WITNESS WHEREOF, the Parties have signed this ILC effective on date of last signature below.

RECEIVING ENTITY: XXXX

By: _____

Printed Name: _____

Title: _____

Date: _____

PERFORMING AGENCY: DEPARTMENT OF INFORMATION RESOURCES

By: _____

Printed Name: _____ Sally Ward

Title: _____ Director, Program Planning and Governance

Date: _____

Legal: _____

Attachments to ILC

Attachment A Estimated Spend Form – (Customer may provide Attachment A to DIR if required by their processes.)

Attachment B Additional Confidentially Requirements – (As necessary and described in Section 7.3, Confidential Information)

DRAFT

Attachment A
Estimated Spend Form

*This form is to be used as needed by the DIR Customer to capture spend within the Shared Services Program. This amount may be based upon the DIR Customer's biennial budget(s).

Below are the estimated spend amounts for certain DIR Shared Services received through this ILC and may change based upon DIR Customer consumption. This amount is to be managed and monitored solely by the DIR Customer. Amounts may be transferred by the DIR Customer that change this amount. Such increases or decreases are strictly within the control of the DIR Customer.

DIR Customer is required to pay for any costs incurred in accordance with this ILC and the related DIR Shared Services Contracts regardless of the estimated spend amounts reflected herein.

Updates to this form may be executed through written notice by the DIR Customer to DIR.

Costs, such as incremental network expenses, which are billed directly to or paid by the DIR Customer, are not included in these amounts.

For the period MONTH DAY, YEAR through MONTH DAY, YEAR the estimated spend is \$XX,XXX as the spend applies to _____ Services.

DIR Customer acknowledges and agrees that the responsibility to manage, monitor, and change the amounts contained in this form are the sole responsibility of the DIR Customer. Further, each signatory warrants requisite authority to execute any changes to this Attachment A in accordance with the DIR Customer's applicable approval processes.

By: _____

Printed Name: _____

Title: _____

Date: _____

Attachment B
Additional Confidentiality Requirements

None

DRAFT

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, August 30, 2018 4:39 PM
Subject: Mass Email -- CC/EA/VR -- 2018 Sample Ballot Memo, Instructions and Ballot Certifications
Attachments: 2018 Statewide and District Ballot Certification.pdf; 2018 Write-In Ballot Certification.pdf; 2018 Libertarian Certification.pdf; 2018 Sample Ballot Memo and Instructions.pdf; 2018 Sample Ballot .pdf; 2018 Additional Ballot Instructions.pdf

Dear County Officials,

The county election officer is the authority responsible for preparing the official ballot for the November 6, 2018 General Election of State and County Officers. This memo will contain instructions on how to prepare your ballot. Attached you will find a copy of the 2018 Statewide and District Ballot Certifications for the November 6, 2018 General Election, Sample Ballot Instructions, and the 2018 Sample Ballot.

Names of Candidates for the Ballot

1. Major Party Nominees (Republican Party and Democratic Party): You will find the list of major party candidates posted to our website. You will have to select your county from the drop-down menu to see the major party candidates that are running for federal, state, district, county or precinct offices in your county.

<https://webservices.sos.state.tx.us/ballot-cert/report.aspx>

NOTE: The list should include any replacement nominees or nominees due to a vacancy that occurred after December 6, 2017. (Sections 145.036 and 202.006)

2. Minor Party Nominees (Libertarian Party) for Federal, State and District Offices: You will find the list of minor party candidates running for federal, state and district offices posted to our website. You will have to select your county from the drop-down menu to see the minor party candidates that are running for federal, state, or district offices in your county.

<https://webservices.sos.state.tx.us/ballot-cert/report.aspx>

3. Minor Party Nominees (Libertarian Party) for County and Precinct Offices: Minor party candidates for county and precinct offices will not be listed on your county's individual certification, as the minor parties of each county certify their candidates directly to the county election officer.
4. Independent Candidates for Federal, State and District Offices: You will find the list of Independent candidates running for federal, state and district offices posted to our website. You will have to select your county from the drop-down menu to see the Independent candidates that are running for federal, state, or district offices in your county.

<https://webservices.sos.state.tx.us/ballot-cert/report.aspx>

5. Independent Candidates for County and Precinct Offices: The county judge should certify to you, not later than August 30, 2018, the names of independent candidates for county and precinct offices, if any.

Names of Write-in Candidates for List of Declared Write-In Candidates

1. Write-In Candidates for Federal, State and District Offices: You will find the certified list of write-in candidates for federal, state or district office attached to this email as a PDF.
2. Write-In Candidates for County and Precinct Offices: The county judge should certify to you, not later than August 30, 2018, the names of write-in candidates for county and precinct offices, if any.

Ballot Preparation Instructions

Our office suggests that you have the official ballot prepared, tested, and ready for use on or before Saturday, September 22, 2018 to comply with the deadline set by the federal MOVE Act for voters outside the United States who have requested ballots by mail. If the official ballot is not ready for mail out on or before September 22, then you must prepare emergency paper ballots to be sent out on or before September 22 to voters outside the United States who have requested mail ballots. **YOU CANNOT DELAY THE SENDING OUT OF BALLOTS TO VOTERS OUTSIDE THE UNITED STATES. Not having the official ballot ready is not a reason to miss this deadline.**

The order of statewide, district, county, and precinct offices on the ballot and the order of parties on the ballot are governed by Sections 52.091 and 52.092 of the Code. In accordance with Section 52.094(a) of the Code, if there is more than one independent candidate for an office, there will need to be a ballot drawing. Other issues concerning the form of the ballot are governed by Subchapter C of Chapter 52 of the Code. You will find a copy of the sample ballot posted to our website.

If you are using an electronic ballot, you will not be able to follow the party column format as it appears on the sample ballot. Instead, you must list the party affiliation (or Independent) to the right of each candidate's name and you may abbreviate the party affiliation (or Independent) as indicated on the ballot certification or print the party name (or Independent). If an abbreviation is used, the meaning of the abbreviation must be stated. (See memo regarding the printing of the legend.) If you print the name of the party, be sure to use Republican, Democratic (not Democrat), and Libertarian.

Please note that county chairs and precinct chairs do not appear on the General Election ballot.

Information specific to preparing your ballots with write-in candidates, printing the required legend instructions for party abbreviations, and procedures for uncontested candidates declared elected will be posted to our website in a separate memorandum.

If you have any questions regarding this memorandum or the information enclosed, please call the Elections Division toll-free at 1-800-252-2216 or email elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

MANAGED SECURITY SERVICES TERMS AND CONDITIONS

This agreement is part of and incorporated within the Interagency/Interlocal Contract ("Contract") that has been entered into by the contracting parties. DIR Customer acknowledges and agrees that this Contract is with DIR and, therefore, DIR Customer does not have privity of contract with the SCPs.

Capitalized terms not defined herein shall have the meaning set forth in the relevant DIR Shared Services Contract.

DIR Customer agrees to the following conditions for receiving Managed Security Services:

1. Conditions for Providing Security Services

1.1 Access

DIR and/or Service Component Provider (SCP) shall use the Internet for primary access to DIR Customer's systems unless otherwise noted and agreed upon. DIR Customer shall not employ special access restrictions against DIR and/or Service Component Provider that it does not apply to the rest of the public network over the course of regular business.

1.2 Network Control

DIR Customer must inform DIR if DIR Customer does not control its network access and/or its Internet service is provided via a third party. DIR Customer is responsible for obtaining all necessary approvals. DIR Customer shall provide all necessary contact information for the third parties that control its network access, Internet service, and/or web applications. DIR Customer's emergency contact list shall include primary and secondary staff capable of administering DIR Customer computer systems specific to the type of services being requested or required.

1.3 Disclosure of Objectionable Material

In conducting the services authorized by DIR Customer, DIR may inadvertently uncover obscene, excessively violent, harassing, or otherwise objectionable material that may violate State or Federal law, including material that may infringe the intellectual property of a third party on DIR Customer devices or networks. DIR shall notify DIR Customer's Executive Director or highest level executive of the existence of all such objectionable and/or potentially illicit material so that DIR Customer may deal with the objectionable and/or potentially illicit material as it deems appropriate.

If DIR accesses child pornography, as defined in the Child Sexual Exploitation and Pornography Act, 18 U.S.C., Chapter 110, in conducting approved Services, DIR shall report such to DIR Customer's Executive Director or highest level executive and an appropriate law enforcement agency and provide the law enforcement agency access to the visual depictions of child pornography.

If DIR accesses information that they perceive as a serious threat to human life or safety in conducting the approved Services, DIR shall report such threat to an appropriate law enforcement agency and DIR Customer's Executive Director or highest-level executive.

1.4 No Warranties and Limitation of Liability

DIR makes no representation or warranty that its security services will disclose, identify, or prevent all vulnerabilities. DIR hereby disclaims all warranties, both express and implied, including without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DIR be liable for damages of any kind or nature that may arise from the services provided by DIR or DIR's Service Component Provider or Service Provider.

1.5 Service Interruption

DIR will endeavor not to disrupt DIR Customer's services and to adhere to best practices for all work performed. However, tools or services may affect the serviceability of poorly configured or overextended systems or services. It is possible that control of DIR Customer's system may be lost. For any testing that DIR may be conducting, DIR endeavors to use the safest methods to compromise DIR Customer's systems; however, DIR Customer should be prepared to restore a damaged system from a recent, acceptable backup within an acceptable time as determined by DIR Customer. During any testing DIR may conduct, DIR will NOT conduct any deliberate Denial-of-Service attack. DIR Customer agrees not to hold DIR liable in the event of any service interruption(s) that may arise as a result of performance of any Services. If either party becomes aware of a service interruption, that party will notify the other party's emergency contact.

1.6 Termination of Services

If DIR Customer terminates certain Services, that it requested and approved, for convenience, DIR Customer shall pay the remaining requisite unrecovered costs that have already been incurred prior to the notice of termination, such unrecovered costs will be calculated in accordance with the relevant DIR Shared Services Contract, SMM, or other DIR Customer approved terms. DIR Customer understands that it may not be able to terminate services or receive any refund of a pre-payment after approving the relevant financial solution.

2. DIR and DIR Customer Responsibilities

2.1 DIR Customer agrees as follows to the extent assessment Services are requested or required:

- a) DIR Customer responses to information requests and artifacts gathering pertinent to this security and risk assessment will be timely;
- b) The artifacts data are reasonably available via interviews and documents review;
- c) DIR Customer will make available the necessary Subject Matter Expert (SME) with required expertise to work with the SCP Assessment Team and will remain available thru the duration of the assessment;
- d) DIR Customer SME will be available when required for interaction with the SCP Assessment Team and that all the interviews will be conducted over the number of consecutive days as established during the project planning and scheduling phase;
- e) DIR Customer is responsible for the coordination and scheduling of resources and providing meeting facilities as necessary;
- f) Deliverables will be complete when DIR Customer has approved in writing that the deliverable meets the acceptance criteria;
- g) All document deliverables must be in formats (hard copy and/or electronic) as specified by DIR Customer. At a minimum, the formats must be in industry-accepted standards (e.g., MS Word, MS PowerPoint MS Project);
- h) DIR Customer will assist with meeting coordination for meetings between DIR Customer Key Personnel and DIR and the Service Provider and other staff to gather requirements and other activities;
- i) DIR may receive final copies of reports if DIR is paying for the assessment.

2.2 Penetration Testing

2.2.1 DIR Customer agrees as follows to the extent penetration testing (“PT”) is requested or required:

- a) SCP may conduct a passive scan to determine the number of live IPs within the Customer designated IP range.
- b) DIR Customer shall not intentionally place an unsecured system or device in the test scope.
- c) If DIR Customer detects SCP testing activities, DIR Customer technical staff shall follow standard operating procedures and policies.

2.3 DIR Customer Compliance

DIR Customer shall comply with all policies, procedures, and processes in the relevant SMM(s) and as provided by DIR.



The State of Texas

Secretary of State

I, VINCENT R. HOUSTON, INTERIM DEPUTY SECRETARY OF STATE OF THE STATE OF TEXAS, pursuant to Sections 142.010 and 161.008 of the Texas Election Code, DO HEREBY CERTIFY that the attached exhibit constitutes the final ballot certification of candidates to appear on the general election ballot for state and district offices who have been certified to me by the appropriate state party chairs as their party's nominee or have been certified by me as the appropriate filing officer.

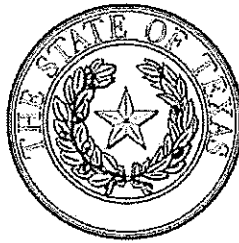
Pursuant to Section 52.065 and 52.091 of the Texas Election Code, you are hereby instructed to print the names of the candidates as they appear on the attached exhibit under the column of the political party or under the column for Independent candidates as designated next to each candidate's name.



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, Texas this 30th day of August, 2018.

Vincent R. Houston

**VINCENT R. HOUSTON
INTERIM DEPT SECRETARY OF STATE**



The State of Texas

Secretary of State

I, VINCENT R. HOUSTON, INTERIM DEPUTY SECRETARY OF STATE OF THE STATE OF TEXAS, DO HEREBY CERTIFY, in accordance with Section 181.007 of the Texas Election Code, that the Libertarian party has qualified for ballot access for the November 6, 2018 General Election.

All County Clerks and Election Administrators are hereby instructed to place all Libertarian Party candidates on the ballot for the November 6, 2018 election under the appropriate party column.

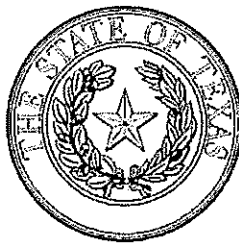
Libertarian Party candidates for statewide and district offices are certified by me as Interim Deputy Secretary of State on the final ballot certification. All Libertarian Party candidates for county and precinct offices who are properly certified to the County Clerks/Election Administrators by the presiding officer of the Libertarian Party county convention shall also be placed on the November 6, 2018 General Election Ballot pursuant to Sections 145.037 and 181.068 of the Texas Election Code.



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, Texas this 30th day of August, 2018.

Vincent R. Houston

**VINCENT R. HOUSTON
INTERIM DEPUTY SECRETARY OF STATE**



The State of Texas

Secretary of State

I, VINCENT R. HOUSTON, INTERIM DEPUTY SECRETARY OF STATE OF THE STATE OF TEXAS, DO HEREBY CERTIFY, in accordance with Section 146.029 of the Texas Election Code, that the following candidates are certified as properly-filed declared write-in candidates for statewide and district offices for the November 6, 2018 General Election.

Office Sought

U.S. House of Representatives, District 3
U.S. House of Representatives, District 5
U.S. House of Representatives, District 16
U.S. House of Representatives, District 29
State Representative, District 109
State Representative, District 138
Justice, 3rd Court of Appeals, Place 6
District Judge, 203rd Judicial District

Name of Candidate

Jeff Simmons
Phil Gray
Sam Williams
Johnathan Garza
Casey Littlejohn
Demetrius Walker
Kerry O'Brien
Teresa Hawthorne



IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, Texas this 30th day of August, 2018.

Vincent R. Houston

VINCENT R. HOUSTON
INTERIM DEPUTY SECRETARY OF STATE

Alexy Rios

From: Kristi Hart <KHart@sos.texas.gov>
Sent: Friday, August 31, 2018 2:25 PM
To: Elections Internet
Subject: Mass Email -- CC/EA/VR -- 2018 Sample Ballot (REVISED)
Attachments: 2018 Sample Ballot - revised.pdf

County Officials,

A REVISED copy of the 2018 Sample Ballot is attached. Please use this revision as a reference in your ballot preparations. The revision is also available on our website.

If you have any questions, please call the Elections Division toll-free at 1-800-252-2216 or email elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

**GENERAL ELECTION (ELECCIÓN GENERAL)
(CONDADO DE) SOMEWHERE COUNTY, TEXAS
NOVEMBER 6, 2018 (6 DE NOVIEMBRE DE 2018)
SAMPLE BALLOT (BOLETA DE MUESTRA)**

INSTRUCTION NOTE: Vote for the candidate of your choice in each race by placing an "X" in the square beside the candidate's name. You may cast a straight-party vote (that is, cast a vote for all the nominees of one party) by placing an "X" in the square beside the name of the party of your choice. If you cast a straight-party vote for all the nominees of one party and also cast a vote for an opponent of one of that party's nominees, your vote for the opponent will be counted as well as your vote for all the other nominees of the party for which the straight-party vote was cast.
(NOTA DE INSTRUCCIÓN): Vote for the candidate of your preference for each candidacy marking an "X" in the space squared to the left of the name of the candidate. Usted podrá votar por todos los candidatos de un solo partido político ("straight-ticket") marcando una "X" en el espacio cuadrado a la izquierda del nombre del candidato. Si usted vota por uno de los partidos políticos y también vota por el contrincante de uno de los candidatos de dicho partido político, se contará su voto por el contrincante tanto como su voto por todos los demás candidatos del partido político de su preferencia.)

Candidate for: (Candidatos para:)	<input type="checkbox"/> Republican Party (Partido Republicano)	<input type="checkbox"/> Democratic Party (Partido Demócrata)	<input type="checkbox"/> Libertarian Party (Partido Libertario)	<input type="checkbox"/> Green Party (Partido Verde)	Independent (Independiente)	Write-In (Voto Escrito)
United States Senator (Senador de los Estados Unidos)	<input type="checkbox"/> Ted Cruz	<input type="checkbox"/> Beto O'Rourke	<input type="checkbox"/> Neal M. O'Rourke			
United States Representative, District _____ (Representante de los Estados Unidos, Distrito Núm. _____)						
Governor (Gobernador)	<input type="checkbox"/> Greg Abbott	<input type="checkbox"/> Lupe Valdez	<input type="checkbox"/> Mark Jay Tippetts			
Lieutenant Governor (Gobernador Teniente)	<input type="checkbox"/> Dan Patrick	<input type="checkbox"/> Mike Collier	<input type="checkbox"/> Kerry Douglas McKennon			
Attorney General (Procurador General)	<input type="checkbox"/> Ken Paxton	<input type="checkbox"/> Justin Nelson	<input type="checkbox"/> Michael Ray Harris			
Comptroller of Public Accounts (Contralor de Cuentas Públicas)	<input type="checkbox"/> Glenn Hegar	<input type="checkbox"/> Joi Chevalier	<input type="checkbox"/> Ben Sanders			
Commissioner of the General Land Office (Comisionado de la Oficina General de Tierras)	<input type="checkbox"/> George P. Bush	<input type="checkbox"/> Miguel Suazo	<input type="checkbox"/> Matt Pina			
Commissioner of Agriculture (Comisionado de Agricultura)	<input type="checkbox"/> Sid Miller	<input type="checkbox"/> Kim Olson	<input type="checkbox"/> Richard Carpenter			
Railroad Commissioner (Comisionado de Ferrocarriles)	<input type="checkbox"/> Chris Craddick	<input type="checkbox"/> Roman McAllen	<input type="checkbox"/> Mike Wright			
Justice, Supreme Court, Place 2 (Juez, Corte Suprema, Lugar Núm. 2)	<input type="checkbox"/> Jimmy Blacklock	<input type="checkbox"/> Steven Kirkland	<input type="checkbox"/>			
Justice, Supreme Court, Place 4 (Juez, Corte Suprema, Lugar Núm. 4)	<input type="checkbox"/> John Devine	<input type="checkbox"/> R.K. Sandil	<input type="checkbox"/>			
Justice, Supreme Court, Place 6 (Juez, Corte Suprema, Lugar Núm. 6)	<input type="checkbox"/> Jeff Brown	<input type="checkbox"/> Kathy Cheng	<input type="checkbox"/>			
Presiding Judge, Court of Criminal Appeals (Juez Presidente, Corte de Apelaciones Criminales)	<input type="checkbox"/> Sharon Keller	<input type="checkbox"/> Maria T. (Terra) Jackson	<input type="checkbox"/> William Bryan Strange III			
Judge, Court of Criminal Appeals, Place 7 (Juez, Corte de Apelaciones Criminales, Lugar Núm. 7)	<input type="checkbox"/> Barbara Parker Hervey	<input type="checkbox"/> Ramona Franklin	<input type="checkbox"/>			
Judge, Court of Criminal Appeals, Place 8 (Juez, Corte de Apelaciones Criminales, Lugar Núm. 8)	<input type="checkbox"/> Michelle Slaughter	<input type="checkbox"/>	<input type="checkbox"/> Mark Ash			
Member, State Board of Education, District _____ (Miembro de la Junta Estatal de Educación Pública, Distrito Núm. _____)						
State Senator, District _____ (Senador Estatal, Distrito Núm. _____)						
State Representative, District _____ (Representante Estatal, Distrito Núm. _____)						
Chief Justice, _____ Court of Appeals District (Juez Presidente, Corte de Apelaciones, Distrito Núm. _____)						
Justice, _____ Court of Appeals District, Place _____ (Juez, Corte de Apelaciones, Distrito Núm. _____, Lugar Núm. _____)						
Justice, _____ Court of Appeals District, Place _____, Unexpired Term (Juez, Corte de Apelaciones, Distrito Núm. _____, Lugar Núm. _____, Duración Restante del Cargo)						
District Judge, _____ Judicial District (Juez del Distrito, Distrito Judicial Núm. _____)						
Criminal District Judge, Court No. _____ (Juez Criminal Del Distrito, Corte Núm. _____)						
District Attorney, _____ Judicial District (Procurador del Distrito, Distrito Judicial Núm. _____)						
District Attorney, _____ Judicial District (Procurador del Distrito, Distrito Judicial Núm. _____, Duración Restante del Cargo)						
Criminal District Attorney (Procurador Criminal del Distrito)						

(Note: Continue with county and precinct offices.)

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 05, 2018 5:04 PM
Subject: Mass Email -- CC/EA/VR -- Reminder about Cybersecurity Survey

Dear County Election Officials,

Several weeks ago, we emailed you a link to a survey related to your Election Security practices. Many of you have participated in the survey and we thank you for that information. It has been very helpful to us. We would like to receive participation from the counties that have not already completed the survey. As a reminder, the information gathered in the survey will impact some of the things we address in our report to the legislature on Election Security. The more responses we get, the better informed our report will be. This will help us draft recommendations to the legislature which may impact legislative actions going forward.

As a reminder, this survey is anonymous. We will not be collecting any information that will identify your county. To begin the survey, please click this link: <https://www.surveymonkey.com/r/2018-texas-security-survey>.

Additionally, we are building a list of email contacts for relevant county IT staff. If you or someone in your office would like to receive emails and information from our IT department related to security, please completed the following questionnaire [Technical Contacts for SOS Updates](#).

Thank you for your assistance. If you have any additional questions or concerns, please contact us at electionsecurity@sos.texas.gov

Keith Ingram

Director, Elections Division

Office of the Secretary of State

800-252-VOTE(8683)

www.sos.state.tx.us

Elections Related Questions: elections@sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, September 11, 2018 11:35 AM
Subject: Mass Email - CC/EA/VR - Security Awareness Training

Dear County Election Official,

In order to assist our counties in improving security related to Texas elections, the Office of the Secretary of State is providing additional cybersecurity awareness training to County Elections employees. The training we are providing is through The SANS Institute and is called "Securing the Human." This is a web-based training course that is both optional and at no-cost to you. To sign up for the training, please complete the form at the provided [link](#), so that we can assign your county users to the training modules. Please make a separate entry for each individual user that you would like to have participate in the training.

After we assign the designated users, they will receive a 'Welcome to your Security Awareness Training Account' email containing their username, *temporary* password, and URL link to login and access their training modules. If you have any additional questions or your staff requires further login assistance, please contact us at electionsecurity@sos.texas.gov. Thank you for your time and we look forward to providing your county elections employees' with their training needs.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, September 11, 2018 1:06 PM
Subject: Mass Email --CC/EA/VR-- Phishing Attempts

Dear County Election Officials:

Several counties have informed us that they have received very convincing emails that appear to have been sent by employees of the Texas Secretary of State. These e-mails may or may not include attachments. Our information security team has reviewed the emails, and confirmed that they appear to be phishing attempts. If you get an email from our office that does not look legitimate, please do not click on any links contained in the email or open any attachments. If you are unsure as to the validity of an email, please call us immediately at 1-800-252-8683 or email us at electionsecurity@sos.texas.gov with your concerns.

Please be vigilant in reviewing your emails. It is critical that we all exercise as much caution as possible with respect to these security issues.

Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Keith Ingram <KIngram@sos.texas.gov>
Sent: Wednesday, September 19, 2018 1:19 PM
To: Starr - Alexy Rios (elections@co.starr.tx.us); Starr - John Rodriguez (Jrdz@co.starr.tx.us)
Cc: Elections Internet; Lindsey Aston
Subject: Reasonable impediment declarations
Attachments: Starr County March 2018.pdf

John and Alexy,

We have had a public information request for reasonable impediment declarations from the primary. In the course of producing those documents to the requestor, we discovered that Starr County is not using the correct form. The form you are using is attached. That form is supposed to be used for voters who vote provisionally due to ID when they come in to cure. This is not the form that we created in order to comply with SB 5. The correct form is here. Please use the correct form for the upcoming elections. If you have any questions, please let me know. Thank you.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 19, 2018 1:40 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Texas 2018 UOCAVA Compliance
Attachments: TX ReportingGenElec_Blank 2018.xlsx; Instructions 2018.pdf; ADV2018-05 - Emergency Ballot Procedures (Primary).pdf

Hello Everyone,

I am writing to remind you that military and overseas ballots requested by a FPCA **must be sent out to voters** by your offices **no later than Saturday, September 22**. We understand that in a handful of counties there have been several last minute changes to the ballot and that impacted your schedules. **However, the deadline must be met**. If your ballots are not prepared in time, **you will have to use emergency ballots**. I am attaching an advisory on emergency ballots for you to review. An excerpt from that advisory is copied below.

In addition, I will be asking you on Monday if you met the deadline. If you failed to get your ballots out, then I will need for you to fill out the attached spreadsheet and send it back to me by the end of the day on Monday.

Please let us know if you are having any issues. We would be glad to assist you in whatever way we can to make sure that all 254 counties mail out their FPCA ballots by Saturday.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

To better serve you, the Texas Secretary of State is conducting a "Customer Satisfaction Survey". Your responses are confidential and will be used only for the purposes of evaluating our services. Please consider taking the survey, and thank you for your time.

You have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline, you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions
Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence.
Step 2. Please provide your type of exemption.
Step 3. Please sign and date the request form.

Step 1: Identify Person Requesting Exemption	Name <u>Amalia V. Alvarez</u> Residence Address (number and street) <u>317 Domingo navarez st.</u> City, State, Zip Code <u>RG, TX 78582</u> VUID Number <u>1006070808</u> County of Residence <u>STARR</u>
Step 2: Type of Exemption Requested	Check all that apply: <input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief. <input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted.
Step 3: Sign and Date	Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief. Sign Here <u>Amalia V Alvarez</u> Date <u>03-06-2018</u>
For Office Use Only	VUID # _____ Voter Reg. Dept. Signature <u>[Signature]</u> Date <u>3/7/2018</u> Comments: _____
If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.	

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are **NOT** required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|---|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input checked="" type="checkbox"/> Other reasonable impediment or difficulty <u>left at home - / far distance.</u> | |

The reasonableness of your impediment or difficulty cannot be questioned.

Amelia V Alvarez 03-06-2018
Signature of Voter Date

NOTE: If you intend to hand deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions

- Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence.
Step 2. Please provide your type of exemption.
Step 3. Please sign and date the request form.

Step 1: Identify Person Requesting Exemption	Name <u>Esmeralda Bazan</u> Residence Address (number and street) <u>71 Les Nietos road</u> City, State, Zip Code <u>REG, TX 78582</u> VUID Number <u>1005975907</u> County of Residence <u>STARR</u>	
Step 2: Type of Exemption Requested	Check all that apply: <input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief. <input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted.	
Step 3: Sign and Date	Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief. Sign Here <u>Brenda Bazan</u> Date <u>03-06-2018</u>	
For Office Use Only	VUID # _____ Voter Reg. Dept. Signature <u>[Signature]</u> Date <u>3/7/2018</u> Comments: _____	

If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are **NOT** required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input checked="" type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Paula B...
Signature of Voter

03-06-2018
Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions

Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence.

Step 2. Please provide your type of exemption.

Step 3. Please sign and date the request form.

Step 1: Identify Person Requesting Exemption	Name <u>Maria G. Obregon</u> Residence Address (number and street) <u>1816 Beaumont St. ECR</u> City, State, Zip Code <u>EGC TX. 78582</u> VUID Number <u>1005989326</u> County of Residence <u>Starr</u>	
Step 2: Type of Exemption Requested	Check all that apply: <input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief. <input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted.	
Step 3: Sign and Date	Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief. Sign Here <u>Maria G. Obregon</u> Date <u>3-6-2018</u>	
For Office Use Only	VUID # _____ Voter Reg. Dept. Signature <u>[Signature]</u> Date <u>3/7/2018</u> Comments: _____	
If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.		

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are **NOT** required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input type="checkbox"/> Other reasonable impediment or difficulty <u>Forgot Purse</u> | |

The reasonableness of your impediment or difficulty cannot be questioned.

Mani D. Obayori
Signature of Voter

3-6-18
Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions

- Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence.
Step 2. Please provide your type of exemption.
Step 3. Please sign and date the request form.

Step 1: Identify Person Requesting Exemption	Name <u>Cynthia Vela</u> Residence Address (number and street) <u>571 La Cochilla St.</u> City, State, Zip Code <u>La Grulla, TX 78548</u> VUID Number <u>1009614688</u> County of Residence <u>STARR</u>	
Step 2: Type of Exemption Requested	Check all that apply: <input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief. <input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted.	
Step 3: Sign and Date	Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief. Sign Here <u>Cynthia Vela</u> Date <u>03-06-2018</u>	
For Office Use Only	VUID # _____ Voter Reg. Dept. Signature <u>[Signature]</u> Date <u>3/7/2018</u> Comments: _____	
If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.		

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are NOT required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input checked="" type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Cynthia L. O'Quinn

Signature of Voter

03-06-2018

Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Cynthia L. O'Quinn

Name and Phone # of Early Voting Clerk

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions	
Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence.	
Step 2. Please provide your type of exemption.	
Step 3. Please sign and date the request form.	

Step 1: Identify Person Requesting Exemption	Name <u>Jennifer Lopez</u>	
	Residence Address (number and street) <u>13 Narciso Peña st</u>	
	City, State, Zip Code <u>Groella, TX 78548</u>	
	VUID Number <u>1177860656</u>	County of Residence <u>STARR</u>
Step 2: Type of Exemption Requested	<p>Check all that apply:</p> <p><input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief.</p> <p><input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted.</p>	
Step 3: Sign and Date	<p>Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief.</p> <p>Sign Here <u>Jennifer Lopez</u> Date <u>03-06-2018</u></p>	
For Office Use Only	<p>VUID # _____</p> <p>Voter Reg. Dept. Signature <u>[Signature]</u> Date <u>3/7/2018</u></p> <p>Comments: _____</p>	
<p>If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.</p>		

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are NOT required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input checked="" type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Signature of Voter

03-06-2018
Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions

Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence.

Step 2. Please provide your type of exemption.

Step 3. Please sign and date the request form.

Step 1: Identify Person Requesting Exemption	Name <u>Gloria Trillayes Moya</u> Residence Address (number and street) <u>485 Lodge St. / RGCITX 78582 PO Box 982 Grulla, TX 78588</u> City, State, Zip Code <u>Rio Grande City, TX 78582</u> VUID Number <u>1142653956</u> County of Residence <u>STARR</u>	
Step 2: Type of Exemption Requested	Check all that apply: <input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief. <input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted.	
Step 3: Sign and Date	Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief. Sign Here <u>Gloria Moya</u> Date <u>03-06-2018</u>	
For Office Use Only	VUID # _____ Voter Reg. Dept. Signature <u>JZ is</u> Date <u>3/7/2018</u> Comments: _____	
If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.		

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are NOT required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input checked="" type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Gloria Maya
Signature of Voter

03-06-2018
Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Solicitud para Excepción Temporal al Requisito de Identificación con Fotografía para la Oficina Local de Registro Electoral del Condado

Conforme a la Sección 65.054 del Código Electoral de Texas, por la presente solicito una excepción al requisito de presentar, al momento de votar, una de las siguientes formas de identificación aprobadas con fotografía: **Licencia de Conducir, Certificado de Identificación Electoral, Tarjeta de Identificación Personal o Licencia para Portar Armas de Fuego expedida/o por el Departamento de Seguridad Pública de Texas; Cédula de Identificación Militar de los Estados Unidos con fotografía; Certificado de Ciudadanía de los Estados Unidos con fotografía; o Pasaporte de los Estados Unidos.** Con la excepción del Certificado de Ciudadanía Estadounidense, la identificación presentada por el elector debe estar actualizada o no haberse vencido más de 4 años antes de ser presentada para cumplir con los requisitos para votar en la casilla electoral.

A continuación, doy mi razón por la cual estoy solicitando esta excepción. Entiendo que tendré que entregar una solicitud para cada elección en la cual no cumpla con presentar una de las formas de identificación aprobadas con fotografía.

Instrucciones	
Paso N° 1. Por favor proporcione su Nombre, Dirección Residencial, Número Único de Identificación Electoral y Condado de Residencia.	
Paso N° 2. Por favor proporcione el tipo de excepción que está solicitando.	
Paso N° 3. Por favor firme y anote la fecha en la solicitud.	

Paso N° 1: Identificar a la Persona que está solicitando la excepción	Nombre <u>Jose Amaro</u>	
	Dirección Residencial (número y calle) <u>Bld Church Rd.</u>	
	Ciudad, Estado, Código Postal <u>Barquisville TX 78547</u>	
	Número Único de Identificación Electoral <u>1010880250</u>	Condado de Residencia <u>Starr</u>
Paso N° 2: Tipo de excepción solicitada	<input type="checkbox"/> Objeción Religiosa (Excepción temporal) Por la presente juro que tengo una objeción religiosa a ser fotografiado y continuamente me he rehusado a ser fotografiado para todo propósito gubernamental desde el momento en que sostuve esta creencia por primera vez. <input type="checkbox"/> Desastre Natural (Excepción temporal) Por la presente juro que no tengo alguna de las formas de identificación aprobadas con fotografía debido a la destrucción de o el no tener acceso a tales como resultado de un desastre natural declarado por el Presidente de los Estados Unidos o por el Gobernador del Estado Texas y que ocurrió no más de 45 días antes del día en que voté.	
Paso N° 3: Firmar y poner fecha	Bajo pena de perjurio, certifico que la información en este documento y cualquier información adjunta son fidedignas y correctas a mi leal saber y entender. Firme aquí <u>Jose Amaro</u> Fecha <u>3/6/18</u>	
For Office Use Only	VOID # _____ Voter Reg. Dept. Signature <u>JZ</u> Date <u>3/7/2018</u> Comments: _____	
Si hace una declaración falsa en este formulario, se le podría acusar de un delito menor de Clase A o un delito grave que amerite encarcelamiento bajo la Sección 37.02 del Código Penal de Texas.		

EXCEPCIONES (SI SON APLICABLES)

Si esta discapacitado, en las fuerzas armadas, o viviendo en el extranjero, **NO** tiene que incluir una copia de su identificación. Si usted está exento de proporcionar una identificación, debe llenar y regresar este formulario en el sobre oficial para que su voto sea contado.

Indique su estatus a continuación, firme su nombre, e incluya esta forma en el sobre oficial.

- ☐ Discapacitado
☐ En las fuerzas armadas
☐ En el extranjero

Firma del Elector

DECLARACIÓN DE IMPEDIMENTO O DIFICULTAD RAZONABLE DEL ELECTOR (SI ES APLICABLE)

Soy la misma persona que está ejerciendo este voto, y me enfrento con un impedimento o dificultad razonable para obtener una forma de identificación aprobada con fotografía.

Mi impedimento o dificultad razonable se debe a las siguientes razones:

(Elija al menos una de las razones que aparecen a continuación)

- ☐ Falta de transporte ☐ Discapacidad o enfermedad
☐ Falta de acta de nacimiento u otros documentos necesarios para obtener una identificación con fotografía
☐ Horario de trabajo ☐ Responsabilidades familiares
☒ Pérdida o robo de identificación con fotografía ☐ Identificación con fotografía ha sido solicitada pero no la he recibido
☐ Otro impedimento o dificultad razonable _____

La razón de su impedimento o dificultad no puede ser cuestionada.

Lace Amador
Firma del Elector

3/6/18
Fecha

NOTA: Si usted tiene la intención de entregar su boleta personalmente al Secretario de Votación Temprana el Día de la Elección, debe mostrar una forma de identificación aprobada original con fotografía o su Certificado de Registro Electoral marcado con una "E" mencionado al reverso de esta página, o, si no ha podido obtener una de las formas de identificación aprobadas con fotografía, y tiene un impedimento o dificultad razonable para obtener una de las formas de identificación aprobadas con fotografía, llene una Declaración de Impedimento Razonable en presencia del Secretario de Votación Temprana, y presente una identificación adicional original si la identificación adicional es una acta de nacimiento u otro documento del gobierno con su nombre y una dirección (cualquier otra identificación adicional que presente puede ser copia), antes de que el Secretario de Votación Temprana pueda aceptar su boleta.

Si tiene alguna pregunta, favor de comunicarse con la oficina del secretario de votación temprana llamando a:

Nombre y Número de Teléfono del Secretario de Votación Temprana

Solicitud para Excepción Temporal al Requisito de Identificación con Fotografía para la Oficina Local de Registro Electoral del Condado

Conforme a la Sección 65.054 del Código Electoral de Texas, por la presente solicito una excepción al requisito de presentar, al momento de votar, una de las siguientes formas de identificación aprobadas con fotografía: **Licencia de Conducir, Certificado de Identificación Electoral, Tarjeta de Identificación Personal o Licencia para Portar Armas de Fuego expedida/o por el Departamento de Seguridad Pública de Texas; Cédula de Identificación Militar de los Estados Unidos con fotografía; Certificado de Ciudadanía de los Estados Unidos con fotografía; o Pasaporte de los Estados Unidos.** Con la excepción del Certificado de Ciudadanía Estadounidense, la identificación presentada por el elector debe estar actualizada o no haberse vencido más de 4 años antes de ser presentada para cumplir con los requisitos para votar en la casilla electoral.

A continuación, doy mi razón por la cual estoy solicitando esta excepción. Entiendo que tendré que entregar una solicitud para cada elección en la cual no cumpla con presentar una de las formas de identificación aprobadas con fotografía.

Instrucciones	
Paso N° 1. Por favor proporcione su Nombre, Dirección Residencial, Número Único de Identificación Electoral y Condado de Residencia.	
Paso N° 2. Por favor proporcione el tipo de excepción que está solicitando.	
Paso N° 3. Por favor firme y anote la fecha en la solicitud.	

Paso N° 1: Identificar a la Persona que está solicitando la excepción	Nombre <u>Marganta Diaz</u>
	Dirección Residencial (número y calle) <u>116 Herrera Dr.</u>
	Ciudad, Estado, Código Postal <u>Rio Grande City TX 78582</u>
	Número Único de Identificación Electoral <u>1184170389</u>
Paso N° 2: Tipo de excepción solicitada	Marque las que le correspondan: <input type="checkbox"/> Objeción Religiosa (Excepción temporal) Por la presente juro que tengo una objeción religiosa a ser fotografiado y continuamente me he rehusado a ser fotografiado para todo propósito gubernamental desde el momento en que sostuve esta creencia por primera vez. <input type="checkbox"/> Desastre Natural (Excepción temporal) Por la presente juro que no tengo alguna de las formas de identificación aprobadas con fotografía debido a la destrucción de o el no tener acceso a tales como resultado de un desastre natural declarado por el Presidente de los Estados Unidos o por el Gobernador del Estado Texas y que ocurrió no más de 45 días antes del día en que voté.
Paso N° 3: Firmar y poner fecha	Bajo pena de perjurio, certifico que la información en este documento y cualquier información adjunta son fidedignas y correctas a mi leal saber y entender. Firme aquí <u>Marganta Diaz</u> Fecha <u>03/06/2018</u>
For Office Use Only	VOID # _____ Voter Reg. Dept. Signature <u>JR</u> Date <u>3/7/2018</u> Comments: _____

Si hace una declaración falsa en este formulario, se le podría acusar de un delito menor de Clase A o un delito grave que amerite encarcelamiento bajo la Sección 37.02 del Código Penal de Texas.

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are **NOT** required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input checked="" type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Signature of Voter

03/06/2018
Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Solicitud para Excepción Temporal al Requisito de Identificación con Fotografía para la Oficina Local de Registro Electoral del Condado

Conforme a la Sección 65.054 del Código Electoral de Texas, por la presente solicito una excepción al requisito de presentar, al momento de votar, una de las siguientes formas de identificación aprobadas con fotografía: **Licencia de Conducir, Certificado de Identificación Electoral, Tarjeta de Identificación Personal o Licencia para Portar Armas de Fuego expedida/o por el Departamento de Seguridad Pública de Texas; Cédula de Identificación Militar de los Estados Unidos con fotografía; Certificado de Ciudadanía de los Estados Unidos con fotografía; o Pasaporte de los Estados Unidos.** Con la excepción del Certificado de Ciudadanía Estadounidense, la identificación presentada por el elector debe estar actualizada o no haberse vencido más de 4 años antes de ser presentada para cumplir con los requisitos para votar en la casilla electoral.

A continuación, doy mi razón por la cual estoy solicitando esta excepción. Entiendo que tendré que entregar una solicitud para cada elección en la cual no cumpla con presentar una de las formas de identificación aprobadas con fotografía.

Instrucciones									
Paso N° 1. Por favor proporcione su Nombre, Dirección Residencial, Número Unico de Identificación Electoral y Condado de Residencia.	Paso N° 2. Por favor proporcione el tipo de excepción que está solicitando.								
Paso N° 3. Por favor firme y anote la fecha en la solicitud.									
Paso N° 1: Identificar a la Persona que está solicitando la excepción	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">Nombre <u>Maria Guedita Sepulveda</u></td> </tr> <tr> <td colspan="2" style="padding: 5px;">Dirección Residencial (número y calle) <u>1412 E Canales Bros St unit 2</u></td> </tr> <tr> <td colspan="2" style="padding: 5px;">Ciudad, Estado, Código Postal <u>Rio Grande City Tx 78582</u></td> </tr> <tr> <td style="width: 50%; padding: 5px;">Número Unico de Identificación Electoral <u>1006088102</u></td> <td style="width: 50%; padding: 5px;">Condado de Residencia <u>Starr</u></td> </tr> </table>	Nombre <u>Maria Guedita Sepulveda</u>		Dirección Residencial (número y calle) <u>1412 E Canales Bros St unit 2</u>		Ciudad, Estado, Código Postal <u>Rio Grande City Tx 78582</u>		Número Unico de Identificación Electoral <u>1006088102</u>	Condado de Residencia <u>Starr</u>
Nombre <u>Maria Guedita Sepulveda</u>									
Dirección Residencial (número y calle) <u>1412 E Canales Bros St unit 2</u>									
Ciudad, Estado, Código Postal <u>Rio Grande City Tx 78582</u>									
Número Unico de Identificación Electoral <u>1006088102</u>	Condado de Residencia <u>Starr</u>								
Paso N° 2: Tipo de excepción solicitada	<p><input type="checkbox"/> Objeción Religiosa (Excepción temporal) Por la presente juro que tengo una objeción religiosa a ser fotografiado y continuamente me he rehusado a ser fotografiado para todo propósito gubernamental desde el momento en que sostuve esta creencia por primera vez.</p> <p><input type="checkbox"/> Desastre Natural (Excepción temporal) Por la presente juro que no tengo alguna de las formas de identificación aprobadas con fotografía debido a la destrucción de o el no tener acceso a tales como resultado de un desastre natural declarado por el Presidente de los Estados Unidos o por el Gobernador del Estado Texas y que ocurrió no más de 45 días antes del día en que voté.</p>								
Paso N° 3: Firmar y poner fecha	<p>Bajo pena de perjurio, certifico que la información en este documento y cualquier información adjunta son fidedignas y correctas a mi leal saber y entender.</p> <p>Firme aquí <u>MARIA Sepulveda</u> Fecha <u>03/07/2018</u></p>								
For Office Use Only	<p>VOID # _____</p> <p>Voter Reg. Dept. Signature <u>[Signature]</u> Date <u>3/7/2018</u></p> <p>Comments: _____</p>								
<p>Si hace una declaración falsa en este formulario, se le podría acusar de un delito menor de Clase A o un delito grave que amerite encarcelamiento bajo la Sección 37.02 del Código Penal de Texas.</p>									

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are NOT required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input checked="" type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Signature of Voter

Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

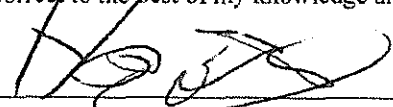
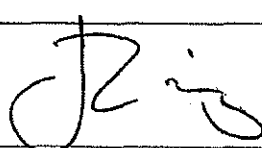
Name and Phone # of Early Voting Clerk

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions
Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence.
Step 2. Please provide your type of exemption.
Step 3. Please sign and date the request form.

Step 1: Identify Person Requesting Exemption	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Name</td> <td><u>Ismaero David Gutierrez</u></td> </tr> <tr> <td>Residence Address (number and street)</td> <td><u>116 Arredondo St.</u></td> </tr> <tr> <td>City, State, Zip Code</td> <td><u>D.C. Tx. 78582</u></td> </tr> <tr> <td>VUID Number</td> <td><u>2139344215</u></td> </tr> <tr> <td>County of Residence</td> <td><u>Starr</u></td> </tr> </table>	Name	<u>Ismaero David Gutierrez</u>	Residence Address (number and street)	<u>116 Arredondo St.</u>	City, State, Zip Code	<u>D.C. Tx. 78582</u>	VUID Number	<u>2139344215</u>	County of Residence	<u>Starr</u>
Name	<u>Ismaero David Gutierrez</u>										
Residence Address (number and street)	<u>116 Arredondo St.</u>										
City, State, Zip Code	<u>D.C. Tx. 78582</u>										
VUID Number	<u>2139344215</u>										
County of Residence	<u>Starr</u>										
Step 2: Type of Exemption Requested	<p>Check all that apply:</p> <p><input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief.</p> <p><input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted.</p>										
Step 3: Sign and Date	<p>Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief.</p> <p>Sign Here <u></u> Date <u>3-6-18</u></p>										
For Office Use Only	<p>VUID # _____</p> <p>Voter Reg. Dept. Signature <u></u> Date <u>3/7/2018</u></p> <p>Comments: _____</p>										
<p>If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.</p>											

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are **NOT** required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Signature of Voter

Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Request for Temporary Exemption to Photo Identification Requirement for Local County Voter Registration Office

Pursuant to Section 65.054 of the Texas Election Code, I hereby submit to the voter registrar my request for an exemption from the requirement to present at the time of voting one of the following forms of acceptable photo identification: **Driver's license, election identification certificate, personal identification card or handgun license issued by the Texas Department of Public Safety; United States Military identification card containing the person's photograph; United States citizenship certificate containing the person's photograph; United States passport, and with the exception of the United States Citizenship certificate, the identification presented for voter qualification at the polling place must be current or have expired no more than 4 years before it is presented.**

Below I have provided my reason for requesting an exemption. I understand that I will have to make this request for each election for which I fail to present one of the acceptable forms of photo identification.

Instructions																	
Step 1. Please provide your Name, Residence Address, VUID Number, and County of Residence. Step 2. Please provide your type of exemption. Step 3. Please sign and date the request form.																	
Step 1: Identify Person Requesting Exemption	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; border-bottom: 1px solid black;">Name</td> <td colspan="3" style="border-bottom: 1px solid black;">Federico Noel Guerra</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Residence Address (number and street)</td> <td colspan="3" style="border-bottom: 1px solid black;">1601 W. Bluebonnet St. APOC, TX 78502</td> </tr> <tr> <td style="border-bottom: 1px solid black;">City, State, Zip Code</td> <td colspan="3" style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">VUID Number</td> <td style="border-bottom: 1px solid black;">1006053929</td> <td style="border-bottom: 1px solid black;">County of Residence</td> <td style="border-bottom: 1px solid black;">Starv</td> </tr> </table>	Name	Federico Noel Guerra			Residence Address (number and street)	1601 W. Bluebonnet St. APOC, TX 78502			City, State, Zip Code				VUID Number	1006053929	County of Residence	Starv
Name	Federico Noel Guerra																
Residence Address (number and street)	1601 W. Bluebonnet St. APOC, TX 78502																
City, State, Zip Code																	
VUID Number	1006053929	County of Residence	Starv														
Step 2: Type of Exemption Requested	Check all that apply: <div style="margin-top: 10px;"> <input type="checkbox"/> Religious Objection (Temporary exemption) I hereby swear that I have a religious objection to being photographed and have consistently refused to be photographed for any governmental purpose from the time for which I have held this belief. </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Natural Disaster (Temporary exemption) I hereby swear that I cannot present any of the acceptable forms of photo identification either due to the destruction of or inability to access them as a result of a natural disaster that was declared by the U.S. President or the Texas Governor and that occurred not earlier than 45 days before the day on which I voted. </div>																
Step 3: Sign and Date	Under penalty of perjury, I certify that the information in this document and any information attached are true and correct to the best of my knowledge and belief. <div style="margin-top: 10px;"> Sign Here: [Signature] Date: </div>																
For Office Use Only	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; border-bottom: 1px solid black;">VUID #</td> <td colspan="3" style="border-bottom: 1px solid black;">1006053929</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Voter Reg. Dept. Signature</td> <td style="border-bottom: 1px solid black; width: 200px;">[Signature]</td> <td style="border-bottom: 1px solid black;">Date</td> <td style="border-bottom: 1px solid black;">3/7/2018</td> </tr> <tr> <td colspan="4" style="border-bottom: 1px solid black;">Comments:</td> </tr> </table>	VUID #	1006053929			Voter Reg. Dept. Signature	[Signature]	Date	3/7/2018	Comments:							
VUID #	1006053929																
Voter Reg. Dept. Signature	[Signature]	Date	3/7/2018														
Comments:																	
If you make a false statement on this form, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.02.																	

EXEMPTIONS (IF APPLICABLE)

If you are disabled, in the military, or living overseas, you are NOT required to include a copy of your identification. If you are exempt from providing identification, you must complete and return this form in the carrier envelope in order for your vote to count.

Indicate your status below, sign your name, and include this form in the carrier envelope.

- ☐ Disabled
☐ Military
☐ Overseas

Signature of Voter

VOTER'S STATEMENT OF REASONABLE IMPEDIMENT OR DIFFICULTY (IF APPLICABLE)

I am the same individual in whose name this ballot is cast, and I face a reasonable impediment or difficulty that prevents me from getting an acceptable form of photo identification.

My reasonable impediment or difficulty is due to the following reason(s):

(Check at least one box below)

- | | |
|--|--|
| <input type="checkbox"/> Lack of transportation | <input type="checkbox"/> Disability or illness |
| <input type="checkbox"/> Lack of birth certificate or other documents needed to obtain acceptable photo ID | |
| <input type="checkbox"/> Work schedule | <input type="checkbox"/> Family responsibilities |
| <input type="checkbox"/> Lost or stolen photo ID | <input type="checkbox"/> Photo ID applied for but not received |
| <input type="checkbox"/> Other reasonable impediment or difficulty _____ | |

The reasonableness of your impediment or difficulty cannot be questioned.

Signature of Voter

Date

NOTE: If you intend to hand-deliver your ballot in person to the Early Voting Clerk on Election Day, then you must show an original of one of the forms of acceptable photo ID or your Voter Registration Certificate with the "E" notation listed above, or, if you have not been able to obtain one of the forms of acceptable photo ID, and you have a reasonable impediment or difficulty to obtaining one of the forms of acceptable photo ID, execute the Reasonable Impediment Declaration in the presence of the Early Voting Clerk, and provide the original of a supporting document if the supporting document is a certified birth certificate or other government document that displays your name and an address and contains your address (though other supporting documents may be a copy), before the Early Voting Clerk may accept your ballot.

If you have any questions, please contact the early voting clerk's office at:

Name and Phone # of Early Voting Clerk

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 19, 2018 3:19 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Voter ID procedures

Hello Everyone,

As you may recall, SB 5 from the 85th regular legislative session went into effect on January 1 of this year. We sent out advisory 2018-08 on January 31 about the changes from the prior procedure. Importantly, the law made changes to the form of the reasonable impediment declaration. As we said in the advisory:

"Further, voters who do not possess one of the forms of acceptable photo ID, and cannot reasonably obtain one, may present a **supporting form of identification** of the voter and execute a **Reasonable Impediment Declaration ("RID")**(in English (PDF) or Spanish (PDF)). The Reasonable Impediment Declaration that must be used under SB 5 has various modifications from the interim remedy ordering including : (1) the addition of a box for the Voter's VUID, (2) the elimination of the "other" category listed under the reasonable impediments, (3) a statement that providing a false statement or false information on the RID could subject the voter to prosecution for perjury under Chapter 37 of the Penal Code, or Section 63.0013 of the Texas Election Code, (4) modified descriptions of certain supporting IDs, and (5) a space for the voter registrar to sign where the election judge would otherwise sign in the event a Reasonable Impediment Declaration is used to "cure" a provisional ballot at the voter registrar's office."

It has come to our attention that a number of counties used the previous version of the reasonable impediment declaration during the primary election. Everyone must use the current version for all elections going forward including the general election and two special elections being held on November 6, 2018.

Please let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us


Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY

NO. 2018-05

TO: County Clerks/Elections Administrators and County Chairs

FROM: Keith Ingram, Director of Elections 

DATE: January 17, 2018

RE: Emergency Ballot Procedures

Saturday, January 20, 2018 (the 45th day before the March 6, 2018 primary election) is the deadline for all ballots to be mailed to all military and overseas voters. If a federal postcard application (FPCA) is received after the 45th-day deadline, the ballot should be mailed not later than the seventh calendar day after the date the FPCA is received. **If your official ballots are not ready to be sent by January 20, 2018, you must create and send emergency ballots. Please see below for emergency balloting procedures. It is not acceptable to miss the deadline and simply wait until your official ballots are ready to mail ballots outside the United States.**

You have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline, you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

Additionally, emergency ballots may be used in the event a polling place runs out of ballots or experiences technical problems with a voting system. Under state law, once the polling place is open it must remain open. Having run out of ballots is not a ground for closing the polling place or suspending voting for a time until more ballots can be received. Therefore, we suggest that you advise election judges to monitor the number of ballots remaining throughout the day on election day and to contact you immediately if they run low. This memorandum provides the procedures on how to replenish a polling place's ballot supply. Therefore, please distribute copies of this memorandum to each of your election judges.

NOTE: County Chairs are responsible for ensuring there are enough ballots at polling places during the primary, unless the Chair contracted with their County Clerk/Elections Administrator for the distribution of ballots.

Pre-Election Day

Regardless of what type of voting system your county uses, before election day your office may want to assess your early voting ballot supply for possible use on election day. If early voting by mail or personal appearance turnout has been heavy, you may want to consider having additional ballots prepared for possible use on election day in your polling places.

Paper and Optical Scan Ballots

If you find that a precinct is about to run out of ballots, whether paper or optical scan ballots, you have two options. One option is that the election judge contacts you and you rush additional ballots to the precinct. If you do not have additional election day ballots for that precinct, your office can use the early voting ballots for that precinct. If no ballots for that precinct are available, your office can make adjustments to the ballots of the same ballot style, if necessary, in accordance with Section 52.006 of the Texas Election Code.

The second option is for you or the election judge to take one of the unvoted official ballots and make copies. Before copying the official ballot, white out or obscure the ballot number printed on the ballot. The judge must sign the backs of the copied ballots and serially number them, beginning with the next number from your ballot order. Please note that our office would prefer copies of an official ballot be used, but if you or the precinct election judge do not have any official ballots to copy when you first realize there is a shortage, copies of a sample ballot can be used instead. You should make a note on the ballot register form indicating how many emergency ballots you created and the range of numbers you used on the ballots created. If a copier is not available but you have some pieces of paper, you might be able to copy the ballot by hand. Keeping in mind the length of the ballot in the primary election, rather than copy the ballot yourself, it might be more efficient to allow voters to write their choices on a piece of paper using the sample ballot available at the polling place. In this situation, the judge would sign and number a few pieces of paper and place them face down and out of numerical sequence on the table. The judge would explain to voters that the polling place has run out of ballots and allow them to pick one of the disarranged pieces of paper, just as they would choose one of the official ballots.

DRE Voting System

If your county is using a DRE voting system and the machine malfunctions, the election judge should follow the procedures set out by your county clerk/elections administrator. You may want to provide the election judge with paper ballots at the polling place to use in emergencies or for provisional voters. If so, the election judge would simply continue using these ballots and make additional copies as needed. If the election judge is not provided with paper ballots, he or she will have to follow the procedure set out above under the paper and optical scan ballots section for signing and numbering pieces of paper and allowing voters to utilize the sample ballot to write in their choices.

We would like to take this opportunity to remind you that if people are waiting in line to vote at 7:00 p.m., they must be allowed an opportunity to present themselves for voting. If you have any questions, please contact our office toll-free at 1-800-252-2216.

KI:CA

Alexy Rios

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Friday, September 21, 2018 7:13 PM
To: Elections Internet
Subject: MASS EMAIL ADVISORY - (CC/EA-662) -- Advisory 2018-29 - Handguns in Polling Places
Attachments: ADV2018-29 -Handguns in Polling Places (KP-0212) .pdf

Dear Election Officials:

Our office has issued Advisory 2018-29 Handguns in Polling Places. This advisory was issued to offer guidance regarding OAG opinion KP-0212.

The advisory will be posted to our website. When posted, it will be located on your [Conducting your Elections](#) page.

Please let us know if you have any questions or concerns.

Thank you,

Christina Worrell Adkins
Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Instructions for Completing the Summary Report Spreadsheets

Ballot Transmission Totals

The spreadsheet titled “Summary Report of UOCAVA Ballot Transmission,” is intended to capture, by transmitting jurisdiction, total numbers of (1) valid ballot requests received by the 45-day deadline, 2) ballots sent by that date, and 3) ballots not sent by that date. This spreadsheet contains five columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 100 to number the rows of data. States with more than 100 transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of transmitting jurisdictions in your State.
- **Column B. Transmitting jurisdiction.** In alphabetical order, list all jurisdictions in your State that are responsible for transmitting UOCAVA ballots. Include any jurisdictions that did not receive any ballot requests by the 45-day deadline.
- **Column C. Total Valid Ballot Requests Received by the 45-day deadline.** Provide the total number of valid UOCAVA ballot requests that the transmitting jurisdiction received by the 45-day deadline. If a jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column C.
- **Column D. Total Ballots Sent by the 45-day deadline For Valid Requests Received By That Date.** Provide the total number of ballots sent by the transmitting jurisdiction by the 45-day deadline. If a transmitting jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column D.
- **Column E. Total Ballots Not Sent by the 45-day deadline For Valid Requests Received By That Date.** If a jurisdiction received valid ballot requests by the 45-day deadline, but failed to transmit one or more of these ballots by that date, enter the total number of ballots not sent by the deadline. If you entered any numbers in column E, provide the additional data requested in the “Late Ballot Transmission Data” spreadsheet.

Late Ballot Transmission Data

Complete the spreadsheet titled “Summary Report of Late UOCAVA Ballot Transmission,” only if one or more transmitting jurisdictions failed to send by the 45-day deadline one or more ballots validly requested by the 45-day deadline. This spreadsheet requests more detailed data about the late ballot transmission in eight columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 4 to number the rows of data. States with more than four late transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of late transmitting jurisdictions in your State.
- **Column B. Late Transmitting Jurisdiction/Date of Late Transmission.** Identify the jurisdiction in the first numbered row and use succeeding rows to specify all dates after the 45-day deadline that ballots were transmitted. If the jurisdiction sent ballots on multiple dates after the 45-day

Instructions for Completing the Summary Report Spreadsheets

deadline, provide the information in the succeeding columns by corresponding late transmission date, with each date in a separate row.

- **Column C. Domestic military.** Provide the data requested for military voters (and their spouses and dependents) within the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column D. Overseas Military.** Provide the data requested for military voters (and their spouses and dependents) outside the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column E. Overseas Civilian.** Provide the data requested for overseas civilians. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column F.** Describe the reason(s) why the late transmitting jurisdiction sent validly requested UOCAVA ballots after the 45-day deadline.
- **Column G.** Confirm that the method used to transmit the late ballots was by the voter's preferred method.
- **Column. H.** Indicate whether the state or the late transmitting jurisdiction has phone, fax or email contact information for the affected UOCAVA voters.
- **Column I. Other comments.** Provide any other information describing the late transmission or actions taken by the State or transmitting jurisdiction to address the late ballot transmission.

NOTE: If you are missing some of the data requested in the "Summary Report of Late UOCAVA Ballot Transmission Data" spreadsheet by the Monday after the 45-day deadline, we ask that you provide the information you have on that Monday and then submit a revised summary report(s) with the data requested in this spreadsheet as soon as possible, and as information becomes available.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **NO. 2018-29**

TO: Election Officials

FROM: Keith Ingram, Director of Elections

DATE: September 21, 2018

RE: Handguns in Polling Places (KP-0212)

A handwritten signature in black ink, appearing to read "Keith Ingram".

On August 27, 2018, the Office of the Attorney General issued Opinion No. KP-0212 ("opinion") which opined on whether presiding election judges are permitted to carry a handgun in a polling place on Election Day. The Office of the Attorney General concluded that because a presiding election judge has the same power of a district judge to enforce order and keep the peace it is likely that Section 46.03 of the Penal Code does not apply to presiding election judges that are licensed to carry a handgun under Chapter 411 of the Government Code, when they are performing their law enforcement duties under Section 32.075 of the Texas Election Code. This means that a presiding judge that possesses a handgun license is permitted to carry a handgun while serving as an election judge on Election Day in limited circumstances.

Types of Polling Places Affected

The OAG made several distinctions with respect to the types of polling places at which a presiding judge may carry a handgun.

Public Buildings: A state agency or political subdivision may not prohibit the carrying of handguns on the property it owns or leases unless the Penal Code section 46.03 or 46.035 expressly allows the prohibition. The express prohibition affected by this decision is discussed below under "higher education institution." Generally, presiding judges are permitted to carry a handgun at polling places that are located in public buildings.

Public Schools: As public schools are located on property that is owned or leased by a governmental entity, presiding judges are not prohibited from carrying a handgun in a polling place located in a public school. However, Section 37.125 of the Education Code makes it an offense to intentionally exhibit a firearm "in a manner intended to cause alarm or personal injury" on school property.

SOS Recommendation: SOS recommends that if your presiding judge chooses to carry a firearm to the polling place in a public school that they only carry a **concealed** weapon to avoid a conflict with Section 37.125 of the education code. Otherwise, the

presiding judge may risk committing an offense which could potentially impede the judge from completing their duties as an election judge.

Private Property: If a polling place is located on private property and the owner or someone acting on authority of the owner provides proper notice, then the carrying of weapons is prohibited on their premises. This notice can take different forms. First, if the property has a posted “30.06 or 30.07” sign on their premises, this would constitute sufficient notice that carrying a handgun is prohibited. Additionally, the owner of the building may provide such notice to the election official orally.

SOS Recommendation: The SOS recommends that election officials (the authority conducting the election) that are using private property as polling places confirm in writing prior to election day if the private property owner will permit election judges to carry a handgun on the premises. In the written agreement or contract that the election official has with the building owner they should specify whether the presiding judge is permitted to carry a handgun on the premises. If the building owner does NOT permit the carrying of a handgun, we also recommend that the document contains language that indicates that pursuant to Section 30.06(b) and 30.07(b) of the Texas Penal Code, the owner of the private property authorizes the election official to act for the owner to provide notice to the presiding judge of the prohibition of carrying weapons on the property. If applicable, the election official should then provide written notice to the election judges of the prohibition.

Higher Education Institutions: Section 46.035 of the Texas Penal Code specifically prohibits a licensed gun-holder from openly carrying a handgun on the premises of both public and private institutions of higher education. Additionally, Section 46.035 also prohibits an election judge from carrying a concealed handgun in a location on campus where the institution has prohibited the carrying of a handgun by rule. If you are using a building on the premises of a higher education institution, we would advise you to consult with the owner of the building to determine if they have enacted a rule prohibiting the concealed carrying of a handgun. If they have such a rule, then election judges are not permitted to open carry or conceal carry a handgun on the premises.

Voter Intimidation

Please be advised that if your presiding judges choose to carry a handgun into a polling place, they MUST do so responsibly. They should NOT be displaying or discussing the weapon in a way that would be intimidating to voters, poll watchers, state inspectors, candidates, or other election workers (See § 62.0115(b), Texas Election Code).

Guidelines for Presiding Judges

A presiding judge is defined under Chapter 32 of the Texas Election Code and must be appointed to serve by the proper authority. This OAG opinion is only directed to those presiding judges that possess a handgun license under Chapter 411 of the Texas Government Code. This opinion is specific to presiding judges and does NOT apply to alternate judges, election clerks, early voting clerks, or deputy early voting clerks. However, if a presiding judge is unable to serve on Election Day, the alternate judge would assume that role and would then be permitted to carry a handgun while serving at their polling place if they possess a handgun license. Additionally, the authority for licensed presiding judges to carry a handgun in a polling place is limited to “the time the judge arrives at the polling place on election day until the time the judge leaves the polling place after the polls close.”

The presiding judge's authority also only extends to the polling place and the area within which electioneering and loitering are prohibited.

SOS Recommendations

In order to address potential questions about your own elections and presiding judges, we recommend you take the following actions.

1. Confirm in writing which of your polling places will allow for the open or concealed carry of a handgun. This should be addressed with the building owners when discussing the use of their building.
2. If a polling place located on private property prohibits the carrying of a firearm on the property, provide your presiding judge with written notification of this fact regardless of whether the property owner already has the proper signage posted. Your written notice should contain the language required in Sections 30.06 and 30.07 of the Texas Penal Code related to the requirements for written communication that provides notice to the voter that entry on the property with a handgun is forbidden.
 - a. "Pursuant to Section 30.06 or 30.07, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 211, Government Code (handgun licensing law), may not enter this property with a concealed handgun."
3. For polling places located on private property, confirm in writing with the building owner whether or not they prohibit the carrying of a handgun on their property.

General Prohibition of Firearms in Polling Place

Section 46.03(a) of the Texas Penal Code generally prohibits a person from bringing a firearm onto the premises of a polling place. In addition to the circumstances described above, this prohibition does not apply to a peace officer, regardless of whether the peace officer is on or off duty. For this and other potentially applicable exceptions, see Tex. Pen. Code § 46.15.

Although there is no requirement that you place any sort of signage in the polling place in order to inform voters of the restrictions regarding handguns in the polling place, if you wish to provide a notice to that effect, you may post form AW-7-9a, "Notice of Prohibition of Handguns in the Polling Place." Alternatively, if you wish to submit your own proposed notice to our office for approval, you may do so by emailing the form to us at elections@sos.texas.gov. Note that any such notice must be in English and Spanish as well as any other languages required in your political subdivision.

School District Personnel Authorized to Carry Handguns

Local school districts can adopt a policy that authorizes certain school district personnel to possess a firearm on the school's premises. (See §46.031, Texas Penal Code) Those individuals are NOT permitted to bring their handguns with them in to a polling place that is located on the school property. The area that contains the polling place is governed by different rules than the school. There is nothing that would provide armed school district employees with authority to carry their weapons in the polling place itself or in the electioneering area.

Page 4

If you have any questions or situations that are not covered by this memo, please do not hesitate to contact the Elections Division toll-free at 1-800-252-2216.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, September 24, 2018 11:23 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Texas 2018 UOCAVA Compliance
Attachments: TX ReportingGenElec_Blank 2018.xlsx; Instructions 2018.pdf

Hello Everyone,

As I mentioned last week, I am writing to see if any of you **have not** sent ballots to military voters for whom you have a FPCA. If **you did not** send out blank ballots by Saturday, please fill out the attached spreadsheet and return it to me by the **end of today**.

Obviously, for any FPCA's you receive going forward, you will need to timely send out the blank ballots for those new requests. Let me know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Instructions for Completing the Summary Report Spreadsheets

Ballot Transmission Totals

The spreadsheet titled “Summary Report of UOCAVA Ballot Transmission,” is intended to capture, by transmitting jurisdiction, total numbers of (1) valid ballot requests received by the 45-day deadline, 2) ballots sent by that date, and 3) ballots not sent by that date. This spreadsheet contains five columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 100 to number the rows of data. States with more than 100 transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of transmitting jurisdictions in your State.
- **Column B. Transmitting jurisdiction.** In alphabetical order, list all jurisdictions in your State that are responsible for transmitting UOCAVA ballots. Include any jurisdictions that did not receive any ballot requests by the 45-day deadline.
- **Column C. Total Valid Ballot Requests Received by the 45-day deadline.** Provide the total number of valid UOCAVA ballot requests that the transmitting jurisdiction received by the 45-day deadline. If a jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column C.
- **Column D. Total Ballots Sent by the 45-day deadline For Valid Requests Received By That Date.** Provide the total number of ballots sent by the transmitting jurisdiction by the 45-day deadline. If a transmitting jurisdiction did not receive any valid ballot requests by the 45-day deadline, enter a zero in column D.
- **Column E. Total Ballots Not Sent by the 45-day deadline For Valid Requests Received By That Date.** If a jurisdiction received valid ballot requests by the 45-day deadline, but failed to transmit one or more of these ballots by that date, enter the total number of ballots not sent by the deadline. If you entered any numbers in column E, provide the additional data requested in the “Late Ballot Transmission Data” spreadsheet.

Late Ballot Transmission Data

Complete the spreadsheet titled “Summary Report of Late UOCAVA Ballot Transmission,” only if one or more transmitting jurisdictions failed to send by the 45-day deadline one or more ballots validly requested by the 45 day deadline. This spreadsheet requests more detailed data about the late ballot transmission in eight columns as follows.

- **Column A. List number.** Column A is prefilled from 1 to 4 to number the rows of data. States with more than four late transmitting jurisdictions should add additional rows and numbers in column A. The last number in column A should equal the total number of late transmitting jurisdictions in your State.
- **Column B. Late Transmitting Jurisdiction/Date of Late Transmission.** Identify the jurisdiction in the first numbered row and use succeeding rows to specify all dates after the 45-day deadline that ballots were transmitted. If the jurisdiction sent ballots on multiple dates after the 45-day

Instructions for Completing the Summary Report Spreadsheets

deadline, provide the information in the succeeding columns by corresponding late transmission date, with each date in a separate row.

- **Column C. Domestic military.** Provide the data requested for military voters (and their spouses and dependents) within the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column D. Overseas Military.** Provide the data requested for military voters (and their spouses and dependents) outside the United States. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column E. Overseas Civilian.** Provide the data requested for overseas civilians. For these voters, provide the total number of late sent ballots by the method of late transmission (*e.g.*, 22 ballots sent by postal mail, 7 ballots emailed, or 2 ballots faxed).
- **Column F.** Describe the reason(s) why the late transmitting jurisdiction sent validly requested UOCAVA ballots after the 45-day deadline.
- **Column G.** Confirm that the method used to transmit the late ballots was by the voter's preferred method.
- **Column. H.** Indicate whether the state or the late transmitting jurisdiction has phone, fax or email contact information for the affected UOCAVA voters.
- **Column I. Other comments.** Provide any other information describing the late transmission or actions taken by the State or transmitting jurisdiction to address the late ballot transmission.

NOTE: If you are missing some of the data requested in the "Summary Report of Late UOCAVA Ballot Transmission Data" spreadsheet by the Monday after the 45-day deadline, we ask that you provide the information you have on that Monday and then submit a revised summary report(s) with the data requested in this spreadsheet as soon as possible, and as information becomes available.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, September 25, 2018 10:46 AM
To: Elections Internet
Subject: MASS EMAIL--CC/EA/County Chairs--Update to the Poll Watchers Guide

Hello Everyone,

I am writing to let you know that we are changing the Poll Watchers Guide tonight. Specifically on page 10 of the Guide there is a list of prohibited activities for poll watchers. Number 3 on the list currently says that poll watchers may not converse with other poll watchers. This prohibition should not be on the list and we are removing it.

Please note that **poll watchers may indeed converse with one another. They may not be removed for doing so.** Please let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, September 25, 2018 4:19 PM
Subject: Mass Email Advisory - (CC/EA) - Advisory 2018-30 Revised Procedures for the Partial Manual Count
Attachments: ADV2018-30 -Revised Procedures for Partial Manual Count.pdf

Dear Election Officials,

Attached to this email is Advisory 2018-30 – Revised Procedures to the Partial Manual Count. The purpose of this advisory is to inform you of changes to the partial manual count that will begin with the **November 6, 2018 election**. These changes will affect all counties that use an electronic voting system for the counting of ballots, including those counties currently using DRE voting systems. The changes include the following:

1. The partial manual count will now apply to ALL ballots counted by a precinct or central scanner -- This includes **Election Day, Early Voting in Person, and Early Voting by Mail**
2. Counties that use DRE voting systems, MUST now conduct the partial manual count on any ballots read through a scanner (mail ballots).
3. Counties participating in the Countywide Polling Place program now have an alternative way to conduct the partial manual count by polling place.
4. Counties with small number of mail ballots can opt to conduct the partial manual count on all their early voting by mail ballots to protect ballot secrecy.

When we get closer to election day, we will provide more details on how to determine the selected precincts and report your results.

We know that this is a big change in procedure which is why we are notifying you ahead of time so that you can plan accordingly. As always, please let us know if you have any questions or concerns.

Thank you for all that you do to make our elections secure and transparent. We appreciate all of your hard work.

Christina Worrell Adkins

Legal Director -- Elections Division

Office of the Texas Secretary of State

1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701

1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **NO. 2018-30**

TO: County Election Officials

FROM: Keith Ingram, Director of Elections 

DATE: September 25, 2018

RE: Revised Procedures for the Partial Manual Count

Pursuant to Section 127.201(a) of the Texas Election Code (the "Code"), to ensure the accuracy of the tabulation of electronic voting systems, the general custodian of election records in an election in which an electronic voting system is used **must conduct a partial manual count**. The purpose of this advisory is to inform you of changes to the partial manual count that will begin with the November 6, 2018 election. These changes will affect **all counties** that use an electronic voting system for the counting of ballots.

Previous Exemption for DREs

In 2011, the Texas Election Code was amended to include Section 127.201(g) that stipulates that the partial manual count does not apply to the tabulation of electronic voting system results for a voting system that uses direct recording electronic voting machines ("DRE"). In 2012, the Secretary of State decided to exempt these DRE-only political subdivisions from conducting the partial manual count of mail ballots counted through an optical or digital scanner because of the possibility of revealing an individual's vote in certain precincts and also in recognition that mail ballots are often not stored by precinct. We will no longer be allowing this exemption.

New Requirements

Beginning with the November 6, 2018 election, ALL counties that tabulate their voting system ballots electronically will be required to conduct the partial manual count. The partial manual count will now include all applicable paper voting system ballots that were counted through an optical or digital scanner and reported as part of your unofficial results on election night.

For some past elections, the partial manual count only included election day ballots. Going forward, the following ballots will be included:

1. **Early Voting in Person Ballots** that were counted with a precinct scanner or central scanner.
2. **Early Voting by Mail ballots** that were counted with a precinct scanner or a central scanner.
3. **Election Day Ballots** that were counted with a precinct scanner or a central scanner.

Any ballots cast on a paperless DRE are exempt from the partial manual count. Any counties using a Texas specific definition of a DRE system for countywide polling place purposes are **not** exempt from the partial manual count. They **must** participate in the partial manual count.

How to Determine What Precincts are Included

General Election for State and County Officers, Primary Elections, and Constitutional Amendment Elections

In a general election for state and county officers, primary election, or election on a proposed amendment to the state constitution or other statewide measure submitted by the Legislature, the Secretary of State shall notify the election official, on the day after the election, of the selected precincts that must be manually counted. The Secretary of State will also designate which races must be counted as part of the partial manual count. You will receive a separate email prior to election day with specific instructions about logging into the SOS system to obtain information specific to this partial manual count. The election official shall begin the manual count within seventy-two (72) hours after the polls close. The count shall be completed no later than the 21st day after Election Day. (127.201(b)).

All Other Elections

The general custodian of election records shall conduct a manual count of all the races in at least one percent of the election precincts or in three precincts, **whichever is greater**, in which the electronic voting system was used. The custodian shall select the precincts at random and shall begin the count not later than 72 hours after the polls close. The count shall be completed no later than the 21st day after Election Day. (127.201(a)). Section 127.201(b) supersedes this section to the extent of a conflict.

Variation in Procedure for Mail Ballots

The partial manual count **ONLY** requires that ballots in selected precincts be counted. However, due to the concerns related to ballot secrecy in smaller counties and in sorting and storing ballots in larger counties, the SOS approves the following optional modification in procedure.

Instead of only counting the selected precincts for early voting by mail ballots, entities can opt to conduct the partial manual count on **ALL** of their early voting by mail ballots. This will ensure that ballot secrecy is protected for smaller counties with fewer ballots. This may also be an easier process for larger counties that don't separate and store their mail ballots by precinct. **THIS VARIATION is OPTIONAL. The determination as to whether to count all early**

voting by mail ballots or only selected precincts is made by the General Custodian of Election Records. This decision should be reflected in writing.

General Requirements

Confidentiality of Ballots: At all times relevant to the count, the designated election official shall take every precaution necessary to protect the confidentiality and security of the ballots cast by the voters.

Notice Requirement: On selection or notification, as applicable, of the precincts to be counted, the general custodian of election records shall post in the custodian's office a notice of the date, hour, and place of the count. (127.201(c)). Although the notice is posted in a public location, the partial manual count is not open to the public. Only authorized individuals may be present during the partial manual count.

Authorized Personnel: The General Custodian must be present along with any staff they designate to assist with the partial manual count. Each candidate in the election is entitled to be present and to have a representative present. A representative must deliver a certificate of appointment to the general custodian at the time the representative reports for service. The certificate must be in writing and must include:

1. The printed name and signature of the representative;
2. The election subject to the count;
3. The printed name and signature of the candidate making the appointment.
(127.201(d))

Ballot Box Entry: The general custodian of election records is authorized to enter into the ballot box or container containing election records for the purpose of the partial manual count. When the count has been completed, the records shall be restored to their secured condition for the preservation period. (213.007). The general custodian of election records shall track chain of custody of ballot boxes, and document the breaking of any tamper evident seals used on ballot boxes

General Procedures for Conducting the Partial Manual Count

1. The general custodian shall identify by written order which temporary or permanent employees will participate in the partial manual count.
2. At the convening of the partial manual count, the general custodian of election records shall identify the applicable ballot boxes containing voted ballots subject to the partial manual count.
3. The general custodian with at least one individual of the counting team shall inspect the ballot boxes to verify that all locks and seals are intact.

4. The general custodian shall open or direct the participating employees to open the ballot boxes containing voted ballots. The breaking of seals MUST be documented.
5. The ballots will be removed from the boxes and the general custodian of election records shall order the counting teams to begin counting the applicable races.
6. The counting teams shall follow procedures applicable to hand counting of ballots. See, Appendix A, Qualifying Voters Handbook.
7. If there are discrepancies in the count, the election official shall attempt to determine the source of the discrepancy.

Procedures for the Partial Manual Count for Counties participating in the Countywide Polling Place Program:

1. For those counties that are participating in the Countywide Polling Place program, they have the option of completing the partial manual count in the traditional way by counting applicable ballots for a specific precinct or they may opt to conduct the partial manual count by polling place.
2. At the convening of the partial manual count, the general custodian of election records shall identify the applicable ballot boxes containing voted ballots subject to the partial manual count.
3. For the selected polling places, the general custodian of election records with at least one individual of the counting team shall inspect the ballot boxes to verify that all locks and seals are intact.
4. The general custodian shall open or direct the participating employees to open the ballot boxes containing voted ballots. The breaking of seals MUST be documented.
5. The ballots will be removed from the boxes and the general custodian of election records order the counting teams to begin counting the applicable races.
6. The counting teams shall follow procedures applicable to hand counting of ballots. See, Appendix A, Qualifying Voters Handbook.
7. The general custodian of election records shall compare the manual count from selected polling places with the **printed results tapes** for that polling place to verify the vote count for that race.
8. If there are discrepancies in the count, the election official shall attempt to determine the source of the discrepancy

Reporting to the Secretary of State:

Not later than the third day after the date the count is completed, the general custodian of election records shall deliver a written report of the results to the Secretary of State's Office. (127.201(e))

The report shall contain:

1. The count of the specific race or races as provided on the summary report printed at the close of polls or the report generated for the audit;
2. The count of the specific race as manually verified;

3. An explanation of any discrepancy found.

The SOS will provide specific instructions closer to election day regarding how to identify the selected precincts or polling places, whichever is applicable for your partial manual count. Additionally, we will provide details as to the format of the report and how to submit it to our office.

If you have any questions or situations that are not covered by this advisory, please do not hesitate to contact the Elections Division toll-free at 1-800-252-2216.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 26, 2018 8:44 AM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA--Election Infrastructure threat reporting
Attachments: Election Security Information Needs.pdf

Hello Everyone,

Attached is a document regarding possible threats to election systems and how to report them if you see any of these things. We have set up a new email address electionsecurityreporting@sos.texas.gov specifically for reporting threats to any election system. Of course you can always call to let us know as well. It is important to share any threat information so that other election officials can be on guard. Please feel free to report anything that occurs no matter how minor. Every piece of information can be a building block in assembling the whole puzzle.

Persons with the Department of Homeland Security will be contacting you individually to make sure you know who to contact at their office and how to obtain security services offered by them at no cost.

Thank you for your attention to security as we go into this November's midterm election. Let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.



Election Security Information Needs

This document is to inform Election Officials and Technical Support Teams on what threats to report if encountered

If you believe the election system, candidates, or infrastructure have been compromised please report it



What to report to Secretary of State and DHS Partners?

- How/when did you identify the potential threat initially
- What type of activity occurred?
- What did the threat actors exploit/attempt to exploit?
 - Email, voting system, network, etc.
- Upon gaining access, what did the threat actors do or attempt to do?
- What identifiers were involved in the malicious activity?
 - Email address, IP address etc.
- What malicious websites or domains were involved?
- When did the activity occur?

Report incidents to (800) 252-8683
electionsecurityreporting@sos.texas.gov

Published 19 September 2018

(U) The information, graphics, and photographs found within this document may be drawn from open-source reporting. The Center is not responsible for any claims or losses arising from the use of information contained within this document. The inclusion of any reference should not be construed as an endorsement of any viewpoint, entity, process, or product by the Center. Receiving agencies are cautioned not to take actions based solely on this raw reporting. This product is Unclassified//For Official Use Only.

Information Needs	Description
Trespassing at Storage Facilities	Unauthorized entry or attempts to gain access to long-term storage facilities, polling places, and voter centers, including those that may be located on public or private property, used to store election and voting system infrastructure.
Targeting of Voter Registration	Incidences of spear-phishing or attempts to hack voter registration systems, to include similar efforts against seemingly unrelated state or local government entities, such as the Department of Motor Vehicles or other agencies or civic organizations responsible for registering voters.
Alteration of Election Equipment or Systems	Attempts to access, alter, or destroy systems used to qualify candidates; produce and deliver ballots; procure, manage and prepare voting equipment; process requests for absentee ballots; and store and manage election administration process and procedure documentation.
Election IT Systems	Unauthorized access, or attempts to access, IT infrastructure or systems used to manage elections, including systems that count, audit, or display election results.
Targeting Election Staff Accounts	Attempts to hack, spear-phish, or compromise personal or professional e-mail accounts and social media accounts of elections officials, staff and volunteers.
Targeting Political Party or Candidate	Hacking attempts or successful hacks into political party headquarters or candidate IT systems.
Interference with Absentee Ballots	Attempts to access, hack, alter, or disrupt infrastructure to receive and process absentee ballots through tabulation centers, web portals, e-mail, or fax machines; attempts to interfere with votes sent through the U.S. Postal Service.
Tactics used in Cyber Compromises	Compromises of any networks and/or systems, including hardware and/or software, by cyber actors to include the tactics, techniques, procedures on related networks and systems; evidence of interference on state systems for cyber security indicators of compromise.
Disruptions at Polling Stations	Unexplained disruption at polling stations or training locations for voting officials, including early voting locations, which block or limit voter turnout. (example: social media posts, robocalls falsely reporting closed or changed polling stations, or physical incidents at polling stations, including distribution of false information.
Disinformation Effort	Disinformation efforts to alter or shutdown government web sites to foment social unrest or reduce voter turnout, to include on social media or other electronic means.
Unauthorized Entry of vote counting areas.	Unauthorized entry of centralized vote counting/tallying locations or electronic systems or networks used by states and localities to count absentee/military and election-day voting ballots.
Impacts to Critical Infrastructure	Impacts to critical infrastructure that limit access to polling stations such as power, water, internet, telephone (cellular), and transportation (traffic controls) outages.

Alexy Rios

From: Christina Adkins <CAdkins@sos.texas.gov>
Sent: Thursday, September 27, 2018 5:14 PM
To: Elections Internet
Subject: MASS EMAIL ADVISORY (CC/EA/VR -899) - Volunteer Deputy Registrar
Attachments: ADV2018-31-Volunteer Deputy Registrars.pdf

Dear County Election Officials:

Attached to this email is Advisory 2018-31 – Volunteer Deputy Registrars. We have issued this advisory as a reminder of the requirements related to the Volunteer Deputy Registrar program. In this advisory, we also provide links to our VDR resources and a list of frequently asked questions.

As a reminder, our Volunteer Deputy Registrar Training and Volunteer Deputy Registrar Guide are posted to our website and are available in both Spanish and English. I have included the links below.

- [Advisory 2012-04 –Directive on VDR Training](#)
- [Request for Appointment as a Volunteer Deputy Registrar \(PDF\)](#)
- [Certificate of Appointment for Volunteer Deputy Registrar \(PDF\)](#)
- [Volunteer Deputy Registrar Guide | \(Spanish\)](#)
- [Volunteer Deputy Registrar Training \(PDF\) | Spanish \(PDF\)](#)

The advisory will be posted to our website. When posted, it will be located on your [Conducting your Elections](#) page.

Please let us know if you have any questions or concerns.

Christina Worrell Adkins
Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY **No. 2018-31**

TO: County Election Officials

FROM: Keith Ingram, Director of Elections

DATE: September 27, 2018

RE: Volunteer Deputy Registrars

A handwritten signature in black ink, appearing to read "Keith Ingram".

As the general election approaches, you may be deputizing new Volunteer Deputy Registrars ("VDR") or have questions about current VDR's. VDR's are entrusted with the responsibility of distributing voter registration application forms throughout the county and receiving registration applications back from voters on behalf of the county. They are appointed by county voter registrars ("VR") and charged with helping increase voter registration in the state. Pursuant to 13.047 of the Texas Election Code, the Secretary of State is responsible for adopting training standards, developing materials for the training, and distributing the materials to the counties. This advisory outlines our current resources and provides answers to frequently asked questions.

In addition to this Advisory, we have prescribed the following resources:

- [Advisory 2012-04 \(Directive\) Training for Volunteer Deputy Registrars](#)
- [Volunteer Deputy Registrar Guide \(Spanish\)](#)
- [Volunteer Deputy Registrar Training \(PDF\) | Spanish \(PDF\)](#)
- [Request for Appointment as a Volunteer Deputy Registrar \(PDF\)](#)
- [Certificate of Appointment for Volunteer Deputy Registrar \(PDF\)](#)
- Volunteer Deputy Examination (if needed)

Please note that the Volunteer Deputy Registrar Guide and the Volunteer Deputy Training are available in Spanish. We have also prescribed an optional examination that is available in Spanish. County voter registrars can obtain the answer key on our DocShare site or by emailing the elections@sos.texas.gov.

OPTIONAL TRAINING METHOD

Senate Bill 142 (Regular Session, 2015), provides an optional training method for the appointment of volunteer deputy registrars. Instead of holding in-person training sessions, a county **MAY** adopt a procedure that allows a person to review the SOS online Volunteer Deputy Registrar training. Upon completing the training, they must appear in person in the voter registrar's office to take an examination. Upon satisfactory completion of the examination, and completion of the Request of Appointment, the voter registrar must appoint the person as a VDR. They will be issued a Certificate of Appointment. As this time, the county can provide the newly appointed VDR of any

county specific procedures. The voter registrar must advise the newly appointed volunteer deputy registrar that the only requirements for voter registration are those prescribed by state law or by the Secretary of State.

The examination is “open-book.” A potential VDR can use the training materials to assist them when completing the examination. A potential VDR is required to answer at least 90% (18 of 20) of the examination questions to successfully complete the application. The Election Code does not provide a limit to the number of times a potential VDR can take the examination before passing.

The online training and examination procedure can be adopted by decision of the Voter Registrar. The VR does not have to adopt the online training and examination procedure by order of the Commissioners Court, but can if the VR chooses to do so.

Counties are not required to adopt the online training and examination, and can continue to conduct only in-person training for VDRs without requiring an examination. Please note that if you do not schedule more than one training per month or if that training you schedule is only offered during business hours, we **STRONGLY** recommend that you adopt the optional on-line training method so as to allow more individuals the opportunity to be appointed as a VDR in your county.

Minimum Training Standards

Advisory 2012-04 is our directive on training standards and it outlined the following requirements:

- The voter registrar must establish a schedule of times and places where such training for volunteer deputy registrars will be offered, if they have not adopted an **optional training method prescribed by the SOS**.
- The voter registrar **may** adopt their own examination that VDRs must complete at the end of their in-person training. If the VR adopts an examination, the SOS must approve the county exam (13.048(a)).
- The county training **must** include the Secretary of State prescribed power point.
- The county training **may** also include additional training materials provided by the county voter registrar.
- Voter Registrars **must** offer training at a minimum of one a month. However, the SOS strongly recommends that you offer more than one training per month and that you offer trainings outside of business hours. If you are unable to do so, your office should consider adopting the **optional on-line training method** discussed above.
- Volunteer deputy registrars **must** undergo the Secretary of State’s standards of training each time they receive a certificate of appointment that is in connection with each election cycle for which they are appointed that ends on December 31 of each even-numbered year.

Appointment of VDRs Trained in other Counties

If the volunteer deputy registrar has already been trained and appointed in another county during the current election cycle, he/she does not have to undergo additional training nor complete another examination. You may ask the previous registrar to confirm that the volunteer deputy registrar has undergone such training. A county can continue to provide county-specific information to VDRs at the time of certification, but cannot require that the VDR complete any additional examinations.

Volunteer Deputy Registrar Materials

The county Voter Registrar must distribute to each appointed volunteer deputy registrar the following materials:

- (1) The Texas Volunteer Deputy Registrar Guide,
- (2) Plenty of voter registration applications containing the county return address,
- (3) A certificate of appointment, and
- (4) A receipt book.

VDRs may also print blank applications from the Secretary of State's website or request blank applications from the SOS directly.

NOTE: Some counties use VR applications with a perforated receipt that can be detached and given to the voter. The SOS has approved a version of this application.

Frequently Asked Questions

1. Does a VDR need to be a registered voter in the county they are wanting to become a VDR in?

No, a VDR does not need to be a registered voter in the county where they are wanting to become a VDR or even a registered voter in Texas. The potential VDR only needs to be a resident of the State of Texas.

2. What are the qualifications to become a VDR?

A VDR must be:

- be at least 18 years old;
- be a United States citizen;
- not have been determined by a final judgment of a court exercising probate jurisdiction to be
 1. totally mentally incapacitated, or
 2. partially mentally incapacitated without the right to vote;
- never have been convicted of failing to deliver a voter application to a voter registrar;
- not have been finally convicted of a felony, or, if convicted, must have
 1. fully discharged the sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court, or
 2. been pardoned or otherwise released from the resulting disability to vote;
- not have been finally convicted of identity theft under Section 32.51 of the Penal Code; and
- be a resident of the State of Texas.

3. Does the county have to offer in-person VDR training?

No, as a county, you do not have to have in-person training, if you adopt an optional online training method prescribed by the SOS.

4. If the county has in-person training, can a potential VDR still do the online training prescribed by the SOS?

Yes, a potential VDR could take the county in-person training or the online training prescribed by the SOS, if the county has adopted the optional online training in their county.

5. Can a potential VDR request to take the SOS examination in our county if we have not adopted the examination?

No. If a county has not adopted the SOS online training and examination procedure, a potential VDR will be required to attend the in-person training to become certified.

6. Can we continue to provide county-specific information to VDRs?

Yes. A VR can continue to provide county-specific information to VDRs at the time of certification, regardless if they choose to adopt the examination. In a county that has adopted the examination, a VDR who successfully completes the examination must also receive the county-specific information.

7. When a potential VDR comes in person to take the examination does the VR have to give them the examination at that time?

Yes, as a VR if a potential VDR comes in-person to take the examination, then you MUST give them the examination that day during the voter registrar's regular business hours.

8. How many times can a potential VDR take an examination if they fail?

The code does NOT have a limit of times that a potential VDR can take an examination, therefore a person shall be allowed to take the exam more than once.

9. Can I as a VR refuse to appoint a VDR?

No, under Section 13.032 of the Texas Election Code, a VR may not refuse to appoint a VDR unless they do not meet the qualifications to become a VDR. (13.032)

10. As a VR can I terminate a VDR's appointment?

Yes, please refer to Section 13.036 for a list of reasons why a VDR may be terminated. Please note that under 13.036, these are the only reasons a VDR can be terminated.

11. What are the general powers of a VDR?

A volunteer deputy registrar may distribute voter registration application forms throughout the county and receive registration applications submitted to the deputy in person. Please note that a VDR is limited to voter registration applications only. A VDR could not accept an application for ballot by mail or an FPCA, and deliver it to the early voting clerk.

12. How many applications must a VR provide to a VDR?

A VR should be generous in the number of blank applications they provide to a VDR. If a VR is concerned about cost, they can always request reimbursement for these costs with Chapter 19 funds, if they are available to the county.

13. What does a VDR do with the receipt books?

For each completed voter registration application, a VDR may fill out a receipt in duplicate and give each applicant the original receipt. The duplicate receipts must be delivered to the voter registrar along with the applications. A VDR may wish to keep copies or stubs for their records. **The VDR should not keep copies of the completed voter registration applications because these documents contain information that is confidential by law. A VDR MUST deliver completed registration applications and receipts in person to the voter registrar no later than 5 p.m. on the 5th day after the date you receive them. (13.042(b)).**

NOTE: An application submitted after the 34th day before the date of an election and on or before the last day for a person to timely submit a registration application for that election shall be delivered not later than 5:00 pm of the next regular business day after the date to timely submit a registration application for that election. (13.042)(c)).

FAILURE TO DELIVER AN APPLICATION IN A TIMELY MANNER IS A CRIMINAL OFFENSE.

14. How long does a VDR need to keep their receipt books?

It is not addressed in the Code, but we would suggest that a VDR should retain the receipt books for 22 months following the election closest to the effective date of the applications. Please inform the VDR to communicate with you as a VR, as you may have their own timeline of retaining the receipt books.

15. I am a candidate and/or working for a campaign. May I serve as a volunteer deputy registrar?

Yes. There is no prohibition against a candidate or a campaign worker serving as a deputy registrar, as long as they otherwise meet the “Qualifications” described above and have been officially appointed as a volunteer deputy registrar. Similarly, there is no prohibition against a volunteer deputy registrar registering voters at a campaign rally for a candidate or event. While working at rally or public event, a volunteer deputy registrar must offer registration to anyone who requests it. A VDR cannot refuse to accept an application if the voter does not want to vote for the candidate a VDR works for.

16. As a VDR, can they accept applications from a voter in another county?

No. A Volunteer deputy registrar status is conferred on a county-by-county basis. For VDR’s to accept applications for Y or Z counties, a VDR would have to become a volunteer deputy registrar for those counties. A VDR could certainly give applications to the attendees from County Y and County Z and direct them to mail the application to the appropriate county voter registrar’s office. A person commits a Class C misdemeanor by acting as a volunteer deputy registrar when he or she does not have an effective appointment as a deputy registrar. (13.044).

17. May a VDR assist and witness multiple applicants?

Yes. A VDR may assist and witness multiple applicants. If an applicant cannot sign his/her name on the application, the applicant may make a mark on the signature line. VDRs should: (1) Print the name of the applicant beside the mark, and (2) sign their name and address as the witness as required by Section 1.011 of the Texas Election Code.

18. Must a VDR submit applications in person to the VR's Office?

Yes. Applications must be submitted **in person** by the VDR or by personal delivery through another designated volunteer deputy registrar. The VDR should NOT mail the voter registration applications to the VR's office.

19. What if a voter submits an application that is not complete?

The VDR should be reviewing the application for completeness in the presence of the voter before the VDR accepts and delivers the application to the VR. (13.039).

20. What if I get an application from a VDR for another county?

Assuming the VDR is a VDR in that county, you as a VR will forward the application to the correct county.

21. When is the effective date of registration for an applicant submitting its application to a VDR?

Assuming the individual is otherwise eligible to vote, the applicant's registration will be effective 30 days after the date of submission to the VDR.

22. As a VR must I keep an active appointment file of a VDR?

Yes. The registrar shall maintain a file containing the duplicate certificates of appointment of the volunteer deputy registrars whose appointments are effective. (b) The registrar shall maintain the file in alphabetical order by deputy name on a countywide basis. (c) Each certificate shall be retained on file during the time the appointment is effective.

23. As a VR must I keep an inactive appointment file?

Yes. The registrar shall maintain a file containing the duplicate certificates of appointment of the volunteer deputy registrars whose appointments have been terminated. (b) The registrar shall enter the date of and reason for termination on each duplicate certificate. (c) The registrar shall maintain the file in alphabetical order by deputy name on a countywide basis. (d) Each certificate shall be retained on file for two years after the date of termination.

All references are to the Texas Election Code (unless otherwise cited) available here:
<http://www.statutes.legis.state.tx.us/Index.aspx>

If you have any questions about the information in this advisory, please contact the Elections Division at 1-800-252-VOTE(8683).

KI:CA:KR

From: Betsy Schonhoff <BSchonhoff@sos.texas.gov>
Sent: Tuesday, October 09, 2018 4:10 PM
To: VRTeam
Subject: MASS EMAIL ADVISORY (VR/EA-659) - November 6, 2018 Voter Registration Deadline Memorandum
Attachments: VR Application Sample Notification - November 6, 2018.pdf; Voter Registration Postmarks and Cut-Off Dates.pdf

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

Date: October 9, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, today, **Tuesday, October 9, 2018** is the last day for a voter to register to vote in the upcoming November 6, 2018 Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the envelope from the SOS with the registrations, then all of the applications were received by us after October 9, 2018 or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope

should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

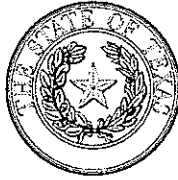


Rolando B. Pablos
Secretary of State

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

THE ENCLOSED VOTER REGISTRATION APPLICATIONS WITHOUT POSTMARKS CAME TO OUR OFFICE IN PACKAGES WHICH WERE POSTMARKED ON OR BEFORE OCTOBER 9, 2018. THE VOTERS ARE ELIGIBLE FOR THE NOVEMBER 6, 2018 ELECTIONS. ANY QUESTIONS PLEASE CALL KRISTI HART WITH THE ELECTIONS DIVISION TOLL-FREE AT 1-800-252-2216, *options 4 – hold until after the Spanish option, then select option 1, then option 5* OR EMAIL KHART@SOS.TEXAS.GOV.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

To: All Tax Assessor-Collectors/Voter Registrars

From: Keith Ingram, Director

A handwritten signature in black ink, appearing to read "Keith Ingram".

Date: October 9, 2018

RE: Voter Registration Postmarks and Cut-Off Dates

As a reminder, today, **Tuesday, October 9, 2018** is the last day for a voter to register to vote in the upcoming November 6, 2018 Elections. With the 2011 USPS change in requirements, there are occasions where USPS is not postmarking the voter's application card. In order to handle this situation, we have developed a recommended order of identification to help registrars determine whether or not an application should be considered to be timely. The dates that can be used, in order, should they appear, are:

Applications Sent Directly to the County

1. A postmark directly on the voter application or accompanying envelope.
2. The date written in by the applicant next to their signature.
3. If none of these exist, then the date received by the voter registrar's office should be used.

Applications Sent from the Secretary of State's Office

When our office receives applications, we sort them by county and then mail them to Voter Registrars. If you receive a packet of applications from us, please use the following dates:

1. The date postmarked on the envelope sent to you by the Secretary of State's office.
2. If the date postmarked on an envelope sent to you by the Secretary of State's office is after the deadline, we will include a note stating that the applications were received on or before the deadline. (See the attached sample.)

Please keep in mind that the only time that the Secretary of State's office will include a note or letter (sample attached) is when the applications received are close enough to the registration cut-off that it needs to be clear that the registrations are eligible for the current election. If no notice is included, then the voter will be eligible for the next election. If there was no note in the

envelope from the SOS with the registrations, then all of the applications were received by us after October 9, 2018 or the appropriate cut-off date for the next election, regardless of what the applicant may have written on it.

If an envelope containing voter applications is mailed from a source other than the Secretary of State and the manila envelope bears a post office cancellation mark, then all of the VR applications contained in the envelope should be treated as having been postmarked on the same day. If the manila envelope is unmarked and there is no indication as to when the envelope was sent, the voters might be treated as having registered on the date the applications were received.

Should you have any questions or concerns regarding this information or need additional information, please do not hesitate to contact a member of the VR TEAM at (800) 252-2216, option 1.

KI:BS

From: Election Security <electionsecurity@sos.texas.gov>
Sent: Wednesday, October 17, 2018 9:08 AM
To: Elections Internet
Subject: MASS EMAIL ADVISORY (CC/EA/VR - 931) -- County Security Alert

Dear County Election Officials,

We have received several alerts from counties that have received suspicious emails containing an attachment, named 'Invoice'. We submitted the attachment to MS-ISAC for analysis.

MS-ISAC's research discovered that the document attached to the phishing emails contains malware which can download a program called Emotet to your system. Emotet is a very advanced trojan that can spread through your network, collecting valuable information such as usernames, passwords, and email addresses. SOS IT will share additional technical details through our email distribution list for county IT contacts. If your IT staff would like to be added to that distribution, they can request to be added via an email to ElectionsSecurity@sos.texas.gov.

Please contact your IT support team if you believe that anyone in your office may have opened the attachment included with the phishing email. Your IT support team may contact us at ElectionsSecurity@sos.texas.gov if more information about this malware is needed.

Please also be sure to report all suspected security incidents to ElectionSecurityReporting@sos.texas.gov.

24/7 cybersecurity assistance for SLTT governments is available from MS-ISAC by phone at 866-787-4722, by email at SOC@cisecurity.org, or on MS-ISAC's website at <https://msisac.cisecurity.org/>.

To report an intrusion and request resources for incident response or technical assistance, contact NCCIC by email at NCCICCustomerService@hq.dhs.gov or by phone at 888-282-0870.

Additional details on Emotet from the US CERT follow:

Description

Emotet continues to be among the most costly and destructive malware affecting SLTT governments. Its worm-like features result in rapidly spreading network-wide infection, which are difficult to combat. Emotet infections have cost SLTT governments up to \$1 million per incident to remediate.

Emotet is an advanced, modular banking Trojan that primarily functions as a downloader or dropper of other banking Trojans. Additionally, Emotet is a polymorphic banking Trojan that can evade typical signature-based detection. It has several methods for maintaining persistence, including auto-start registry keys and services. It uses modular Dynamic Link Libraries (DLLs) to continuously evolve and update its capabilities. Furthermore, Emotet is Virtual Machine-aware and can generate false indicators if run in a virtual environment.

Emotet is disseminated through malspam (emails containing malicious attachments or links) that uses branding familiar to the recipient; it has even been spread using the MS-ISAC name. As of July 2018, the most recent campaigns imitate PayPal receipts, shipping notifications, or "past-due" invoices purportedly from MS-ISAC. Initial infection occurs when a user opens or clicks the malicious download link, PDF, or macro-enabled Microsoft Word document included in the malspam. Once downloaded, Emotet establishes persistence and attempts to propagate the local networks through incorporated spreader modules.

Currently, Emotet uses five known spreader modules: NetPass.exe, WebBrowserPassView, Mail PassView, Outlook scraper, and a credential enumerator.

1. NetPass.exe is a legitimate utility developed by NirSoft that recovers all network passwords stored on a system for the current logged-on user. This tool can also recover passwords stored in the credentials file of external drives.
2. Outlook scraper is a tool that scrapes names and email addresses from the victim's Outlook accounts and uses that information to send out additional phishing emails from the compromised accounts.
3. WebBrowserPassView is a password recovery tool that captures passwords stored by Internet Explorer, Mozilla Firefox, Google Chrome, Safari, and Opera and passes them to the credential enumerator module.
4. Mail PassView is a password recovery tool that reveals passwords and account details for various email clients such as Microsoft Outlook, Windows Mail, Mozilla Thunderbird, Hotmail, Yahoo! Mail, and Gmail and passes them to the credential enumerator module.
5. Credential enumerator is a self-extracting RAR file containing two components: a bypass component and a service component. The bypass component is used for the enumeration of network resources and either finds writable share drives using Server Message Block (SMB) or tries to brute force user accounts, including the administrator account. Once an available system is found, Emotet writes the service component on the system, which writes Emotet onto the disk. Emotet's access to SMB can result in the infection of entire domains (servers and clients).

To maintain persistence, Emotet injects code into explorer.exe and other running processes. It can also collect sensitive information, including system name, location, and operating system version, and connects to a remote command and control server (C2), usually through a generated 16-letter domain name that ends in ".eu." Once Emotet establishes a connection with the C2, it reports a new infection, receives configuration data, downloads and runs files, receives instructions, and uploads data to the C2 server.

Emotet artifacts are typically found in arbitrary paths located off of the AppData\Local and AppData\Roaming directories. The artifacts usually mimic the names of known executables. Persistence is typically maintained through Scheduled Tasks or via registry keys. Additionally, Emotet creates randomly-named files in the system root directories that are run as Windows services. When executed, these services attempt to propagate the malware to adjacent systems via accessible administrative shares.

Note: it is essential that privileged accounts are not used to log in to compromised systems during remediation as this may accelerate the spread of the malware.

Example Filenames and Paths:

```
C:\Users\<username>\AppData\Local\Microsoft\Windows\shedaudio.exe
C:\Users\<username>\AppData\Roaming\Macromedia\Flash
Player\macromedia\bin\flashplayer.exe
```

Typical Registry Keys:

```
HKEY_LOCAL_MACHINE\Software\Microsoft\Windows\CurrentVersion\Run
HKEY_LOCAL_MACHINE\Software\Wow6432Node\Microsoft\Windows\CurrentVersion\Run
HKEY_CURRENT_USER\Software\Microsoft\Windows\CurrentVersion\Run
```

System Root Directories:

```
C:\Windows\11987416.exe
C:\Windows\System32\46615275.exe
C:\Windows\System32\shedaudio.exe
C:\Windows\SysWOW64\F9jwqSbS.exe
```

Impact

Negative consequences of Emotet infection include

- temporary or permanent loss of sensitive or proprietary information,
- disruption to regular operations,
- financial losses incurred to restore systems and files, and
- potential harm to an organization's reputation.

Solution

NCCIC and MS-ISAC recommend that organizations adhere to the following general best practices to limit the effect of Emotet and similar malspam:

- Use Group Policy Object to set a Windows Firewall rule to restrict inbound SMB communication between client systems. If using an alternative host-based intrusion prevention system (HIPS), consider implementing custom modifications for the control of client-to-client SMB communication. At a minimum, create a Group Policy Object that restricts inbound SMB connections to clients originating from clients.
- Use antivirus programs, with automatic updates of signatures and software, on clients and servers.
- Apply appropriate patches and updates immediately (after appropriate testing).
- Implement filters at the email gateway to filter out emails with known malspam indicators, such as known malicious subject lines, and block suspicious IP addresses at the firewall.
- If your organization does not have a policy regarding suspicious emails, consider creating one and specifying that all suspicious emails should be reported to the security or IT department.
- Mark external emails with a banner denoting it is from an external source. This will assist users in detecting spoofed emails.
- Provide employees training on social engineering and phishing. Urge employees not to open suspicious emails, click links contained in such emails, or post sensitive information online, and to never provide usernames, passwords, or personal information in answer to any unsolicited request. Educate users to hover over a link with their mouse to verify the destination prior to clicking on the link.
- Consider blocking file attachments that are commonly associated with malware, such as .dll and .exe, and attachments that cannot be scanned by antivirus software, such as .zip files.
- Adhere to the principal of least privilege, ensuring that users have the minimum level of access required to accomplish their duties. Limit administrative credentials to designated administrators.
- Implement Domain-Based Message Authentication, Reporting & Conformance (DMARC), a validation system that minimizes spam emails by detecting email spoofing using Domain Name System (DNS) records and digital signatures.

If a user or organization believes they may be infected, NCCIC and MS-ISAC recommend running an antivirus scan on the system and taking action to isolate the infected workstation based on the results. If multiple workstations are infected, the following actions are recommended:

- Identify, shutdown, and take the infected machines off the network;
- Consider temporarily taking the network offline to perform identification, prevent reinfections, and stop the spread of the malware;
- Do not log in to infected systems using domain or shared local administrator accounts;
- Reimage the infected machine(s);
- After reviewing systems for Emotet indicators, move clean systems to a containment virtual local area network that is segregated from the infected network;
- Issue password resets for both domain and local credentials;
- Because Emotet scrapes additional credentials, consider password resets for other applications that may have had stored credentials on the compromised machine(s);
- Identify the infection source (patient zero); and
- Review the log files and the Outlook mailbox rules associated with the infected user account to ensure further compromises have not occurred. It is possible that the Outlook account may now have rules to auto-forward all emails to an external email address, which could result in a data breach.

Please let us know if you have any questions or concerns.

Keith Ingram
 Director, Elections Division
 Office of the Secretary of State
 800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, October 19, 2018 3:20 PM
Subject: Mass Email Advisory - (CC/EA/VR) - Two New Advisories
Attachments: ADV2018-34 - Electronic Voting System Procedures Advisory.pdf

Dear Election Officials:

Our office has released the following two Advisories:

2018-33 – Certain Activities in the Vicinity of the Polling Place (Currently Posted to our website)
2018-34 – Electronic Voting System Procedures (will be posted today – Attached to this email as a PDF)

This advisory and other resources are posted on your Conducting Your Elections pages.

Christina Worrell Adkins

Legal Director – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.state.tx.us

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Elections Internet <Elections@sos.texas.gov>
Sent: Saturday, October 20, 2018 3:07 PM
To: Elections Internet
Subject: MASS EMAIL ADVISORY (CC/EA/VR-901) - Updates for Early Voting and Election Day
Attachments: Insert for Election Judges and Clerks Handbook 2018 Memo.pdf

Dear Election Officials:

As we head into early voting for the November 6, 2018 election, we wanted to provide you all with some additional guidance on a few issues. We also wanted to give you a list of the advisories and that we have issued that are relevant to this election. We hope that by putting this all in one email, it will make it easier for you to locate what you need during the next few weeks.

1. **Early Voting:** Based on email and call volume, and the influx of voter registration applications we saw in our office leading up the registration deadline, we are anticipating large numbers of voters turning for this election. Please make sure that you are prepared with enough ballots, supplies, and workers to handle the potential crowds or lines.
2. **Poll Watcher's Guide:** On September 25, 2018, we sent an email to the counties regarding an update to the Poll Watcher's Guide. Specifically on page 10 of the Guide there is a list of prohibited activities for poll watchers. The guide previously stated that poll watchers may not converse with other poll watchers. That prohibition is not expressly provided for in the Texas Election Code. Please note that this does **NOT** change the prohibition on poll watchers' speaking to voters or the judge's authority to limit disruption.
3. **Cancellation Form:** We recently revised Form AW 5-17 Request to Cancel Application for Ballot by Mail. That form, along with the Spanish version, have been posted to the SOS website. As a reminder, we have a chart that summarizes all of a voter's options for cancelling their mail ballot. This chart is available on the DocShare site.
4. **Handbook for Election Judges and Clerks:** We have made several small revisions to the Qualifying Voters Handbook. We have included as an attachment to this email, an insert you can use that addresses these small revisions. The handbook now includes:
 - References to Advisory 2018-29, the Advisory on Handguns in Polling Places,
 - Corrects a misstatement on cancellation procedures, and
 - Eliminates a few unnecessary items the distribution of election records sections.
5. **Law Enforcement in the Polling Place:** We have had several reports of counties preemptively positioning law enforcement in or around polling places for this election. We would like to remind everyone that while the presiding judge does have the authority to summon law enforcement under 32.073 to preserve order and prevent breaches of the peace, there is the possibility that preemptively stationing law enforcement at polling places could be viewed as voter intimidation. Please be mindful of appearances that undermine voter confidence or you could invite DOJ scrutiny to your election.
6. **Election Security:** As a reminder, the SOS has a 2018 Election Security Update that is currently posted in our website. This provides information on what the current laws and rules are related to election security as well as what steps the SOS has taken to better secure our elections. This may be a helpful guide to election security questions you may get over the course of the next few weeks.

7. **SOS News Releases:** The SOS has issued several news releases this month related to election integrity and resources for Texas voters affected by severe weather related events. To view these news releases and others issued by the SOS please see our page on news.

Below is a list of all advisories that have been issued in 2018 that are relevant to this election. They are listed on your Conducting Your Elections pages and on our Election Division Advisories page that is located in our Forms, Resources, and Legal Library. Please note that there are several other advisories we will be issuing in the next two weeks that relate to issues affecting the November 6, 2018 election. These advisories will also be listed on the pages stated above.

<u>No. 2018-34</u>	Electronic Voting System Procedures
<u>No. 2018-33</u>	Certain Activities in Vicinity of Polling Places
<u>No. 2018-32</u>	Limited Ballot Voters and <u>District Chart</u>
<u>No. 2018-31</u>	Volunteer Deputy Registrars
<u>No. 2018-30</u>	Revised Procedures for the Partial Manual Count
<u>No. 2018-29</u>	Handguns in Polling Places (KP-0212)
<u>No. 2018-28</u>	Minority Language Requirements
<u>No. 2018-27</u>	Additional Instructions for Preparation of Ballot for Write-In Candidates and Independents, Procedures for Uncontested Candidates Declared Elected, and Legend Printing Instructions
<u>No. 2018-26</u>	Ballot Preparation and Sample Ballots for November 6, 2018 General Election
<u>No. 2018-25</u>	November 6, 2018 Election Law Calendar
<u>No. 2018-24</u>	Appointment Procedures for County Election Precinct Presiding and Alternate Judges, Election Clerks, Early Voting Ballot Board Members, Signature Verification Committee Members, and Central Counting Station Personnel
<u>No. 2018-05</u>	Emergency Ballot Procedures
<u>No. 2018-04</u>	FWABs and Voters in Hostile Fire Pay and Combat Zones
<u>No. 2018-03</u>	Instructions and Deadlines for Mailing/Emailing Ballots Under the Federal "MOVE Act" for Overseas Voters
<u>No. 2018-02</u>	Ballot by Mail Deadlines; HB 1151, HB 929 (Regular Session); SB 5 (Special Session)

If there is any additional information not listed here that you need, or any other questions you have about the upcoming election as always, feel free to reach out to our Office and we will be happy to assist you. You can email us your questions at elections@sos.texas.gov or call us at 1-800-252-2216, option 2 for the legal department.

Thank you for all that you do to make our elections in Texas a great success.

Keith Ingram

Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State


ELECTION ADVISORY **N0. 2018-34**

TO: All Election Officials

FROM: Keith Ingram, Director of Elections

DATE: October 15, 2018

RE: Electronic Voting System Procedures Advisory



The purpose of this advisory is to provide an explanation of various voting systems provisions in the Texas Election Code and Texas Administrative Code and to prescribe additional procedures for voting systems in accordance with Section 122.001(c) of the Texas Election Code. Each section is outlined below, and followed by the glossary of terms for voting systems.

Section 1 – Acquiring a Voting System
Section 2 – Adopting a Voting System
Section 3 – Acceptance Testing
Section 4 – Election Set-up and Definition
Section 5 – Voting System Testing
Section 6 – Polling Place Preparation and Procedures
Section 7 – Central Accumulation Procedures
Section 8 – Post Election Audits
Section 9 – Voting System Security
Section 10 – Automatic Recount, if applicable
Section 11 – Requested Recount, if applicable
Section 12 – Retention of Election Material

Section 1 – Acquiring a Voting System (TEC Chapter 123, Subchapter B)

A contract for the acquisition of a voting system must be (1) in writing, and (2) approved by the Secretary of State. This approval is required to ensure that the voting system being acquired complies with applicable state requirements. The authority acquiring the equipment is required to submit to the Secretary of State a letter requesting approval of the acquisition of the voting system along with a copy of the relevant portions of the acquisition contract. The Secretary of State only needs the relevant portion of the contract that contains the information identifying the versions of the voting system and voting system equipment.

If a contract is approved, the Secretary of State will provide to the parties of the contract:

1. A letter stating that the voting system and voting system equipment being acquired satisfy the applicable approval requirements, and
2. A certified copy of the written order issued by the Secretary of State approving the voting system and voting system equipment

Any contract not approved by the Secretary of State is **void**. If a contract is not approved, the Secretary of State shall provide notice to the parties of the contract of the reasons that the contract was not approved. Executing a voting system equipment contract without the approval of the Secretary of State constitutes a **Class B Misdemeanor**.

Section 2 – Adopting a Voting System (TEC Chapter 123, Subchapter A)

A voting system must be adopted for use in any one or more elections by resolution, order or other official action. The adoption of a voting system may be modified or rescinded at any time. Additionally, the authority adopting the system should indicate in their official adoption action whether they are adopting the system for use in early voting only, regular voting on election day or both. The general custodian of election records is required to make any user or operator manuals or instructions relating to the system available for public inspection.

Adoption of a Voting System occurs by the following authorities:

1. General Election for State and County Officers: Commissioners Court
2. Primary Elections: County Executive of Party holding the primary
3. All Other Elections
 - a. The Commissioners Court, if ordered by the governor or a county authority,
 - b. The Governing Body of the Political Subdivision served by the authority ordering the election.

Section 3 - Acceptance Testing (Texas Election Code (TEC Chapter 129.021))

If your entity has purchased or leased new voting system equipment from a vendor, the entity is required to perform Acceptance Testing immediately upon taking delivery from a vendor of a new system or new equipment components.

As part of the **Acceptance Testing**, the entity is required to do the following:

1. Verify that the system delivered is certified by the Texas Secretary of State.
 - a. To verify the system, the entity must compare the following to the certification order:
 - i. Model number and/or name of system.
 - ii. Software and/or firmware version.
2. Perform the following tests:
 - a. Hardware Diagnostic Test provided by 129.022(b), and
 - b. Logic and Accuracy (L&A) Test as provided by 129.023.

3. The entity **MUST** complete a system validation. Your vendor should provide you with specific instructions on how to validate that software that is being installed and used on your voting system is the same software that was certified by the EAC.

Section 4 - Election Set-up and Definition (TEC, § 125)

Prior to each election, there are a number of things you must do to properly configure your election systems. This section provides guidance on the pre-election actions you must take to prepare for an election.

1. Setting up Equipment:

- a. In order to prepare for an election you will need to program and configure the following equipment that is used in your jurisdiction, if applicable:
 - i. Election management system software,
 - ii. Electronic ballot marking devices,
 - iii. Direct recording electronic (DRE) voting machines,
 - iv. Precinct scanner,
 - v. Central Scanners,
 - vi. Electronic pollbooks (e-pollbooks)
- b. Establishing passwords and users -- As part of the set-up you should also:
 - i. Set different passwords for each election on your Election Management System and on your voting system equipment, as applicable.
 - ii. Set up different authorized users for the software, as applicable.
 - (1) The number of users that have access to your election management system should be limited.
 - (2) The names and access levels **must** be documented, tracked and preserved for the duration of your entity's use of your electronic voting system.

2. Programming or Coding your Voting System Ballot

- a. Ballot Programming may be completed in one of the following ways.
 - i. **Programing by Authority that Owns or Adopts a Voting System**
 - (1) Programming or coding should be conducted in a secured location (129.051).
 - (2) Programming or coding should be completed with two individuals present, if available. This is to ensure that there is a witness to all actions taken with respect to the ballot.
 - (3) Poll watchers are not permitted to be present for this process.
 - (4) After the programming or coding is completed, you must store the electronic media or voting system equipment in a secure location and/or in the presence of an election official (129.051(b) and (c)).
 - (5) Chain of Custody must be verified at each step of the process.
 - ii. **Programming by Vendor**
 - (1) If programming or coding is completed by vendor, you **MUST** track chain of custody of the electronic media throughout the entire process.

- (2) If media is transferred between the entity and vendor via courier or common or contract carrier, there **MUST** be a tracking mechanism in place for the transport process.
- (3) Upon receipt of the coded media, the entity must verify chain of custody for the transport process, AND the entity must verify chain of custody with the vendor. To verify chain of custody with vendor, you must have a document or tracking sheet signed by the last person to handle the media before it was deposited in the mail or handed to a courier.
- (4) Upon taking delivery of media and verifying chain of custody, the coded media must be stored in a secure location or in the presence of an election official (129.051(b) and (c)).

3. Proofing the Programming

- a. After programming, you will need to proof the programming of your election for accuracy, and proofing shall include, but not be limited to, the following:
 - i. Verifying races within each precinct;
 - ii. Verifying precincts included in each ballot style;
 - iii. Verifying candidates associated in each race;
 - iv. Verifying party affiliation with candidates, if applicable;
 - v. Checking for all contests on ballot and verify that candidate/proposition spelling is correct;
 - vi. Checking contest order;
 - vii. Verifying the correct number of votes allowed for each race;
 - viii. Verifying that write-in positions are correct, if applicable;
 - ix. If available, verifying the audio ballot; and
 - x. Verifying straight-party associations to appropriate candidates in applicable elections.
 - xi. (e-pollbooks) Verifying that the election was set up correctly, and that voters are assigned to the correct precinct/ballot style.

4. Back-Up Programming:

- a. As part of your recovery plan, you will need to back-up your election programming at various stages of the election definition process.
 - i. At a minimum, as soon as you finish the programming of your election and it's been locked down, create a back-up copy for storage at a secure off-site location.
 - ii. If another entity does your programming, keep your own back-up copy at a secure off-site location that is in your control, not the programming entity's control.

5. Security and Record Retention:

- a. The election setup materials shall be secured by limiting access to the person or persons so authorized in writing by the county clerk and/or election official.
- b. Any audit logs and ballot definition files created shall be included with retention material for that election as outlined in Retention of Election Materials in Section 12.

Section 5 - Voting System Testing (TEC, Chapters 125, 127 and 129)

Three types of voting system testing shall be performed for **each election** within a jurisdiction. The three tests are:

- a. Hardware Diagnostic Test,
- b. Logic and Accuracy (L&A) Test/Testing of Tabulation Equipment, and
- c. Post-Election Audit (Partial Manual Count).

1. Hardware Diagnostic Test (TEC § 129.022):

- a. The general custodian of election records shall commence the Hardware Diagnostic Test prior to the election and allow time for each electronic voting device to be deployed, tested, repaired and/or replaced, if necessary. Each device shall be tested to verify that mechanical components are working correctly. This test shall include, but not be limited to, the following:
 - i. All input and output devices;
 - ii. Communications ports;
 - iii. System printers;
 - iv. System screen displays;
 - v. Boot performance and initializations;
 - vi. Firmware and/or software loads;
 - vii. Confirmation that screen displays are functioning;
 - viii. Verify and adjust to correct date and time, if necessary;
 - ix. Verify and adjust calibration, if applicable;
 - x. Confirm that the unit is cleared of votes;
 - xi. Confirm that it is configured for the current election; and
 - xii. Confirm that physical security devices are in working order (locks, seals, etc.)

2. Logic and Accuracy (L&A) Test/Test of Tabulation Equipment (TEC, § 129.023 and subchapter D, Chapter 127)

- a. The designated general custodian of election records shall conduct both a Logic and Accuracy Test and a Test of the Tabulation Equipment.
- b. **Logic and Accuracy Test:** Prior to the commencement of voting and no later than 48 hours before voting begins on the equipment, the designated general custodian of election records shall conduct the public Logic and Accuracy Test. **NOTE:** The Secretary of State (SOS) recommends conducting testing prior to mailing out mail ballots to ensure there are no issues with how the ballot has been coded.
- c. **Testing Board:** The designated general custodian of election records shall create a Testing Board consisting of at least two persons. The general custodian of election records shall make every reasonable effort to ensure that the testing board consists of at least one person from each political party that holds a primary election. (129.023(a).
- d. **Notice Requirement:** A public notice must be published at least 48 hours prior to the testing. This notice must be published in the same paper you publish your election notice.

The public Logic and Accuracy Test shall be open to representatives of the press and the public. (129.023(b)).

- e. **Internal L&A Test:** An internal L&A test should be done soon after the programming and proofing of your election is complete. This will provide you time to make corrections as necessary and be better prepared for the public L&A test.
- f. **Test Ballots** – In preparation for the Logic and Accuracy Test, the designated general custodian of election records shall design a method which directs the Testing Board to cast votes which will verify that each precinct, ballot style, and contest position on the ballot can be voted and is accurately counted.
 - i. This can be done by marking test ballots or providing the Testing Board with some other form identifying how each test vote shall be cast. **NOTE:** The SOS **strongly** recommends that you devise your own test ballots, rather than using the test deck provided by the vendor.
 - ii. The **test** ballots for ballots that are read by a scanner must be prepared on the same ballot stock as the **official** ballots.
- g. The General Custodian of Election Records shall develop written procedures for the testing. The testing shall include:
 - i. Overvotes and undervotes for each race
 - ii. Write-in votes, when applicable.
 - iii. Straight party votes and crossover votes, as applicable.
 - iv. Electronic processing of provisional votes, if applicable to the system being used (129.023(c)).
- h. The testing shall be designed in a manner which provides a different number of vote totals for at least three candidates in races with more than two candidates, or each candidate in races with exactly two candidates.
 - i. The predetermined results must be pre-calculated from the test ballots to allow comparison after the votes are tallied. (129.023(c)(10)).
- i. An appropriate number of voting devices will be available and the Testing Board may witness the necessary programming and/or downloading of memory devices necessary to test the specific precincts.
- j. Prior to the start of testing, all devices used will have the public counter reset to zero and presented to the testing board for verification.
- k. **Conducting the test:**
 - i. **Ballot Marking Devices and DREs:**
 - (1) Manual vote choices are made by entering the votes indicated on the Test Ballot or designed form as stated above. To help prevent human error, all entries are made by a team of two people. One person calls out the votes and one person enters. Both team members verify the votes on the summary screen before the ballot is cast or printed.
 - (2) To test the audio, at a minimum, one set of vote choices will be entered using the audio feature. Both team members listen to the summary prior to casting or printing the ballot.

- ii. **Ballot Marking Devices:** Verify that the printed ballot reflects the choices entered on the Ballot Marking Device. Also, if applicable, process the marked ballots with the scanning equipment (precinct ballot scanner or central scanner).
- iii. **Scanner Based Systems (Precinct or Central Scanners)** Scanning Equipment must be tested as prescribed in Chapter 127, Subchapters D and F. Pursuant to Section 127.094(e) the design of the test ballots must also include the design in subsection (f) above.
- iv. **Accessibility Testing:** For each feature of the system that allows disabled voters to cast a ballot, at least one vote must be cast and verified by a two-person testing board team using that feature; this includes, but is not limited to all audio functions, large font functionality, and sip-and-puff functionality. As a reminder, all components should be checked during the Hardware Diagnostic Test as well.
- l. **Other Testing Measures:**
 - i. **Modeming From Regional Substations:** If you transmit results via modeming from regional central counting stations to the main central counting station, test the transmission of results by modem, if applicable.
- m. **Finalizing L&A Test:**
 - i. When all votes are cast, the designated general custodian of election records and Testing Board shall observe the tabulation of all test ballots and compare the results to the predetermined results.
 - ii. A test is successful if the results report of the electronic voting system matches the predetermined results. The voting system should otherwise function properly during the counting of the test ballots.
 - iii. If the initial test is unsuccessful, the general custodian of election records shall prepare a written record of what caused the discrepancy and what actions have been taken to achieve a successful test. The record shall be retained with the test materials.
- n. **Verification:** The Testing Board and the general custodian of election records **shall:**
 - i. Sign a written statement attesting to the qualification of each device that was successfully tested, any problems discovered, and the cause of any problem if it can be identified, and
 - ii. Provide any other documentation as necessary to provide a full and accurate account of the condition of a given device. We recommend that the number/characters of the seal attached to the voting device at the end of the test should be included in the written statement.
 - (1) The SOS has issued form AW 6-2, Certification of First Test of Automated Tabulating Equipment, for this purpose.
- o. **Record Retention:**
 - i. Upon completion of the testing, the Testing Board shall witness and document all steps taken to reset, seal, and secure any equipment or test materials, as appropriate; and the general custodian of election records shall preserve a copy of the programming data used during the testing at a secure location that is outside the

administrator's and programming entity's control for the duration of the preservation period related to that election day.

- ii. All test materials, when not in use, shall be kept in a container with a uniquely identified tamper-resistant or tamper-evident seal. The general custodian of election records and at least two members of the Testing Board shall sign the seal. (129.024).
 - (1) The designated general custodian of election records shall be the custodian of the container.
 - (2) The container may not be unsealed unless the contents are necessary to conduct a test under Chapter 129, Subchapter B or a criminal investigation, election contest, or other official proceeding under the Election Code. If the container is unsealed, the general custodian of election records shall reseal the contents when not in use. (129.024(c)).
 - (3) The test materials shall remain sealed for the period for preserving the precinct election records. (129.024(b)).
- p. **Test of Tabulation Equipment:** The tabulation supervisor and counting station manager of the central counting station shall prepare and test the central accumulator system three times as required by Chapter 127, Subchapter D Times for Conducting Test. The test shall be conducted as part of the Logic and Accuracy testing explained above.
 - i. **Design of Test:**
 - (1) The test must be designed to determine whether the central accumulator system accurately tabulates results from the electronic files used to count ballots voted in the election.
 - (2) The electronic files created from the Logic and Accuracy testing for the election must be used in the process of this test.
 - ii. **Conduct of Test One:**
 - (1) The general custodian of election records shall publish notice of the date, hour, and place of the first test conducted under 127.093(b) in a newspaper, as provided by general law for official publications by political subdivisions, at least 48 hours before the date of the test. (This is the same notice as your public L&A test.)
 - (2) **Internal Test:** **SOS Recommendation** - An internal Test of the Tabulation Equipment should be done soon after the programming and proofing of your election is complete. This will provide you time to make corrections as necessary and be better prepared for the public test.
 - (3) The first test is open to the public.
 - (4) Verify that your system has been reset to zero and print out a zero report prior to performing the test.
 - (5) If the initial test is unsuccessful, the counting station manager shall prepare a written record of what caused the discrepancy and what actions have been taken to achieve a successful test. The record shall be retained with the test materials.

- (6) When a test is successful, the tabulation supervisor and counting station manager shall certify in writing that a test was successful and the date and hour the test was completed. The certification shall be retained with the test materials.
- iii. **Determining Success of Tabulation Test:** A test is successful if a perfect count of the electronic files, that contain the cast vote records (ballot images) and/or device results, is obtained and the central accumulator system otherwise functions properly during the counting of the test electronic files.
- iv. **Security of Test Materials:** On completion of the test, the counting station manager or tabulation supervisor shall place the test electronic files, or a copy of the test electronic files, and other test materials in a container provided for that purpose and seal the container so it cannot be opened without breaking the seal. The counting station manager and tabulation supervisor, and not more than two watchers, if one or more watchers are present, shall sign the seal or seal log, as applicable. The watchers must be of opposing interests, when possible.
- v. **Custody of Test Materials:** The counting station manager is the custodian of the test materials until they are delivered to the general custodian of election records.
- vi. **Requirements for Test Two of Tabulation Equipment:**
 - (1) The second test shall be conducted immediately before the counting of ballots or accumulation of vote totals begins on the equipment.
 - (2) The Central Counting Station (CCS) Manager and the Presiding Judge shall verify that the seal is intact on the secure container with the test materials.
 - (3) After verification, the CCS Manager and the Presiding Judge shall break the seal and remove test materials.
 - (4) The test materials used for Test One shall be reused for Test Two. If the results from Test Two match the results from Test One, it will be considered a successful test.
 - (5) If the test is successful, the Presiding Judge shall certify in writing that a test was successful and the date and hour the test was completed. This certification shall be retained with the test materials. (127.097)
 - (6) The test materials shall be stored in a secure container until Test Three is performed.
- vii. **Requirements for Test Three of Tabulation Equipment.**
 - (1) The Third Test shall be conducted after the counting of ballots or accumulation of vote totals has been completed.
 - (2) The Central Counting Station Manager and the Presiding Judge shall verify that the seal is intact on the secure container with the test materials.
 - (3) After verification, the CCS Manager and the Presiding Judge shall break the seal and remove test materials.

- (4) The test materials used for Test One and Test Two shall be reused for Test Three. If the results from Test Two match the results from Test One, it will be considered a successful test.
 - (5) If the test is successful, the Presiding Judge shall certify in writing that a test was successful and the date and hour the test was completed. This certification shall be retained with the test materials. (127.097)
 - (6) **Unsuccessful Test Three;**
 - (a) If the test is unsuccessful, the ballot count is void, and the testing authority shall prepare a written record of what caused the discrepancy and shall repeat the test. If the test is successful, the testing authority must document what actions have been taken to achieve a successful test. The record shall be retained with the test materials.
 - (b) If the testing authority is unable to achieve a successful test, the ballot count is void and the ballots must be counted manually, if applicable or with an alternative type of tabulating equipment
- viii. **Precinct Ballot Counters and DREs:**
- (1) The Secretary of State has determined that it is not feasible to conduct the 2nd and 3rd test of the Tabulation Equipment on precinct ballot scanners and on DRE as described in 127.152(b). However you are still required to conduct the test on any central accumulator used to accumulate your election media and/or generate election results.

Section 6 - Polling Place Preparation and Procedures

The following procedures should be taken at the polling place:

1. General Procedures

- i. Arrange the polling place to allow full view by presiding judge and election clerks of voting and voter activity to guard against unauthorized access while protecting voter privacy.
- ii. The voting equipment must be in sight of the presiding election judge and/or an election clerk at all times while the election is being conducted.
- iii. The election official shall periodically check for evidence of tampering on voting equipment during the election. For example, make sure the uniquely identified tamper-resistant or tamper-evident seal is still intact. (TEC § 125.005).
- iv. Restrict/monitor physical access to equipment when the presiding election judge and election clerks are not present.
- v. **Equipment Failure During Voting:**
 - i. Procedures and plans shall be written for handling election day equipment failure, including backup and contingency plans. (See TEC § 125.006 for further details).
 - ii. If a DRE malfunctions during voting and there have been votes cast on that machine, extra precaution should be taken to protect the cast vote records (ballot images) and

audit logs stored on that DRE. Secure the equipment and document the chain of custody when transporting the equipment to another location. (TEC § 125.006).

vi. **Fleeing Voter:**

- i. When a voter begins the process of making ballot selections but leaves without casting a vote on a DRE, a polling place official must cancel the electronic ballot and document the cancellation.
- ii. When a voter leaves without fully depositing their paper ballot into the optical/digital scanner or ballot box, this ballot must be treated as a spoiled ballot, and the presiding election judge or an election clerk shall cancel the ballot and document the cancellation.

vii. **Provisional Voter:**

- i. Provisional votes may be cast electronically on a direct recording electronic voting system only if the system segregates provisional votes from regularly-cast votes on the election day precinct returns. Verify that no conditions are listed on the Secretary of State certification document for your system that would restrict the use of electronic provisional voting. (TAC § 81.176).

viii. **Curbside Voter:**

- i. If the voter is physically unable to enter the polling place without assistance or likelihood of injury to the voter's health, then the voter may vote at the curbside.
- ii. A presiding election judge or election clerk shall deliver the voting device to the curbside voter.
- iii. Make sure to allow the curbside voter the same privacy as a voter in the polling place

2. **Opening the Polls**

- a. The presiding election judge shall verify and document the unique identifier (e.g., serial number) of the equipment delivered to the polling site.
- b. Look for evidence of tampering and document the time this was done.
- c. Verify that the Public Count is "0" on each applicable device.
- d. Check the accuracy of the date and time on applicable equipment.
- e. Confirm that all units are open for voting, as applicable; and
- f. At a minimum, print one zero tape from each applicable device, as follows:
 - i. The presiding election judge, an election clerk, and not more than two watchers, if one or more watchers are present, shall sign the zero tape.
 - ii. Maintain zero tapes in a secure location to be returned with election materials (i.e., Ballot Box #4 or other secure means designated by the general custodian of election records). **NOTE: Certain counties participating in the Countywide Polling Place Program that use the Hart eSlate have a modified procedure regarding the printing of zero tapes. Please contact the SOS for a copy of these procedures.**

3. **Closing the Polls**

- a. Verify and document the public count on applicable devices.
- b. Verify that the public count(s) match the number of voters that have signed the combination form or checked in for voting through an epollbook. If there is a discrepancy, the presiding

judge should attempt to determine the source of the discrepancy and document their investigation.

- c. After the polls have been closed on election day, the precinct election officials shall print out, at a minimum, three copies* of the results tape from each applicable device, and secure the voting device against further use. (WARNING: Do not print out the results tape during Early Voting; this includes the last day of Early Voting). **NOTE: Certain counties that participate in the Countywide Polling Place Program and use the Hart eSlate, have a modified procedure regarding the printing of results tape. Please contact the SOS for a copy of these procedures.**
 - i. The presiding election judge, an election clerk, and not more than two watchers, if one or more watchers are present, shall sign the results tape(s).
 - ii. The copies of the results tape(s) shall be distributed as follows:
 - (1) Envelope #1 that is delivered to the presiding judge of the canvassing authority;
 - (2) Envelope # 2 that is addressed to the General Custodian; and
 - (3) Ballot Box #3 (or other secure means designated) that is delivered to the general custodian of election records, along with other election media and materials ***NOTE:** Some entities may opt to only print two copies of the results tape as two of the three copies are being returned to general custodian.
 - iii. Lock and secure the voting equipment and other election material from any physical access to prepare for transport.
- d. **Central Counting Station:** For entities that have established a central counting station for the purpose of counting or accumulating voting system results -- the results tapes that are printed at the polling place are **NOT** considered the official precinct returns. The official returns will be prepared at the central counting/accumulation station and certified by the presiding judge of the central counting/accumulation station in accordance with Section 127.131 of the Texas Election Code.
- e. **Precinct Scanners:** For additional procedures specific to Precinct Ballot Counters, please see Advisory 2017-17 – Updates to Voting System Procedures –Precinct Ballot Counters.

4. Early Voting Procedures.

- i. Opening the polls procedures above also apply to the 1st day of early voting.
- ii. Opening the polls on the 2nd thru last day of early voting shall be handled as follows:
 - i. Look for evidence of tampering and document the time this was done;
 - ii. Verify and document that the numbers on the public counter match the number of voters documented on the early voting by personal appearance roster at the close of polls on the previous day; and confirm that all units are open for voting.
- iii. Suspending and securing the Polls during Early Voting by personal appearance, except for the last day.
 - i. Verify and document that the numbers on the public counter match the number of voters documented on the early voting by personal appearance roster at the close of

- polls on the previous day;
 - ii. Lock and secure voting equipment, so no additional votes may be cast on the voting equipment; and
 - iii. Restrict physical access to voting equipment.
 - iv. **Early Voting:** Secure Early Voting location at the end of each day and store the equipment in a secure location to prevent theft or tampering after hours. If early voting clerk is unable to secure voting system equipment at early voting location, the equipment should be returned daily to the early voting clerk's office and redeployed on a daily basis.
 - v. If the early voting device is being moved to another temporary location, the instructions listed in Section 9 of this document should be followed.
5. **Closing the polls on the last day of Early Voting:** Verify and document that the numbers on the public counter match the number of voters documented on the early voting by personal appearance roster at the close of polls on the previous day and be sure to:
- i. Look for evidence of tampering and document the time this was done
 - ii. **DO NOT PRINT THE RESULTS TAPE** (tape will be printed later at the central counting station); and
 - iii. Lock and secure the voting equipment and other election material from any physical access to prepare for transport.

Section 7 – Central Accumulation Procedures (TEC, Chapter 127)

1. Election Night Verification for Central Accumulation System:

- a. As the media is loaded into a central accumulator, the election official shall verify that the vote totals on the electronic media match the vote totals on the printed results tape, if applicable.
- b. After uploading all precinct results to the central accumulator system, the election official must verify and document that the central accumulator's total number of votes cast in an election matches the number of signatures on the combination form. If there is a discrepancy, the presiding judge of the counting station in conjunction with the central counting station manager shall determine if a further audit is necessary.

2. Transferring Results from Secure Computer/Server

- a. Any time data is transferred to another computer, the transfer may only occur with the following devices:
 - i. Single use DVD/CD,
 - ii. Single use, disposable, removable USB thumb drive, or
 - iii. Re-formatted, multi-use removable USB thumb drive.
- b. In order to maintain the secure nature of the central accumulator, approved users should only use clean, removable media devices. These device should not have been previously used on any other computers or hardware. If they have been previously used, they must be properly reformatted each and every time they are inserted into the secure, central accumulator.

3. Audit Logs from Central Accumulators:

- a. All central accumulators certified for use in Texas elections maintain an internal audit log. Some of the legacy systems still maintain a continuous feed audit log printer. These audit logs (both internal and produced by continuous feed printers) are considered election records. They must be maintained with the election records for the proper preservation period.
- b. A full copy of the central accumulator's audit log must be printed after the tabulation of election results on election night. If an entity is using a continuous feed audit log printer, the attached log will serve as this required printed copy.
- c. The printed copy of the log must be retained with the election records for the preservation period.
- d. **Poll watcher access to Audit Logs (1 TAC 81.62(g))**
 - i. A poll watcher may request a printed copy of an audit log produced by a central accumulator:
 - (1) Before any votes are tabulated,
 - (2) After early voting results are tabulated, and
 - (3) Immediately following the completion of the vote tabulation
 - ii. Once a request for a report has been made, the central counting station manager or tabulation supervisor is required to print a copy of the audit log at the required time, and make a copy of it available to any and all poll watchers that have requested a copy of the audit log. The CCS manager should NOT remove or tear off the audit log maintained by any continuous feed audit log printer, if one is being used with voting system in use.
 - iii. Poll watchers do not get to specify the format of the audit log produced on election night. The central counting station manager has discretion as to whether to provide a copy of the audit log printed from the internal logs or provide a copy of the audit log produced from the continuous feed audit log printer.
 - (1) If the central counting station manager opts to use the audit log from a continuous feed audit log printer, then the poll watchers will only receive their copy of the log at the end of the night as it is not feasible to provide a copy of the log at the intervals stated above. Tearing the printed audit log to provide a copy to poll watchers would compromise the integrity of the audit log.

4. **Central Counting Station Plan (TEC 127.007):** The manager of the central counting station is required to establish and implement a written plan for the orderly operation of the central counting station. That plan must be made available to on request not later than 5 p.m. on the fifth day before the date of the election. For details on what should be included in the central counting station plan, please see [Advisory 2017-16](#).

Section 8 - Post-Election Audit (Partial Manual Count) (TEC, Chapter 127)

To ensure the accuracy of the tabulation of electronic voting system results, the general custodian of election records shall conduct a manual count of all the races in at least one percent of the election precincts or in three precincts, whichever is greater, in which the electronic voting system was used.

1. In a general election for state and county officers, primary election, or election on a proposed amendment to the state constitution or other statewide measure submitted by the legislature, the Secretary of State shall notify the election official, on the day after the election, of the selected precincts that must be manually counted. The election official shall begin the manual count within seventy-two (72) hours after the polls close. (127.201(b)).
2. All Other Elections: The custodian shall select the precincts at random and shall begin the count not later than 72 hours after the polls close. The count shall be completed no later than the 21st day after Election Day. (127.201(a)). Section 127.201(b) supersedes this section to the extent of a conflict.
3. The SOS will send out detailed instructions regard the partial manual count prior to the election it applies to.
4. See Advisory 2018-30 for additional details on the partial annual count.
5. **Post-Election Verification for Central Accumulation System:**
 - i. To ensure the accuracy of any central accumulation software used to accumulate vote totals from electronic voting systems, the general custodian of election records shall conduct a post-election verification of the same precincts and races selected for the partial manual count either by the general custodian of election records or the Secretary of State, whichever is applicable.
 - ii. The general custodian of election records shall verify that the vote total(s) printed on the results tape from the voting system equipment used at a given precinct or polling place matches the reports generated by the central accumulation software.
 - iii. The general custodian of election records has the discretion to verify a greater number of precincts than specified above.
 - iv. The reconciliation shall consist of a race-by-race comparison of the number of votes reported on the precinct results tape to the central accumulator's unofficial election results report that was generated on election night.
 - v. If there is any discrepancy in the comparison, the results tape from the precinct level shall constitute the official results.
 - vi. Any political subdivision that utilizes modem transfer of election results from sub-stations to the central counting station for the purpose of being combined with other such tabulations to produce complete returns shall establish procedures to reconcile received tabulations to transmitted tabulations in order to determine if any discrepancies exist.

NOTE: Modeming results from a polling place location to the central counting station is prohibited under Texas law.

Section 9 - Voting System Security

1. **Personnel Security** (TEC § 129.051(g)): Employees authorized by the county clerk or election official to prepare or maintain the voting system or election setup materials shall be deputized by the county clerk or election official for this specific purpose and so sworn, with the following oath,

prior to the first election of the calendar year in which they will be performing one or more of these activities

- a. "I swear (or affirm) that I will faithfully perform my duty as an officer of the election and guard the purity of the election." (Section 62.003 of TEC)

2. **Criminal Background Checks Required (TEC § 129.051(g)):**

- a. In accordance with Section 129.051(g) of the Texas Election code, the General Custodian of election records shall conduct criminal background checks for all election officials, staff and temporary workers who are engaged in pre-election programming, testing and preparing of the voting system equipment for Early Voting and Election Day. This does not include poll workers (election judges and clerks) assigned to work election voting centers or precincts, but does include temporary workers hired to test, store, or service voting equipment. Additionally, this includes all individuals that participate in both pre-election Logic and Accuracy Testing and pre-election testing of the tabulation equipment.
- b. A person having a criminal record is not automatically disqualified from working with electronic voting equipment. However, the hiring entity should consider the nature of the crime(s) in determining whether to hire or assign voting system duties to an individual with a criminal record. You may wish to consult with your Human Resources Department to develop a policy similar to your governing body's regular employment policy regarding persons with a criminal background.
- c. If you contract with your vendor to program, test, or perform maintenance on the voting equipment prior to an election, you may wish to require the vendor to certify that a criminal background check has been performed on the necessary employees. We recommend that part of your agreement or contract with the vendor include wording that they (the vendor) have performed that duty. Suggested language to include:
 - i. _____ Company certifies that a criminal background check on all employees, including temporary employees, that may program, test, perform maintenance, transport equipment, or perform technical support on the voting system equipment for (name of entity) has been performed. The Company has determined there are no findings that would prevent the employees from performing their assigned duties.
- d. Criminal background checks conducted through the Texas Department of Public Safety ("DPS") Crime Records Service will provide information on arrests, prosecutions and the disposition of the case for persons arrested for Class B misdemeanor or greater violation of Texas criminal statutes. This is part of the Conviction Database that is extracted from the DPS Computerized Criminal History System ("CCH"). Election custodians will be required to create a secure online account via the DPS website to conduct criminal history checks via CCHS. DPS has requested that each county elections custodian register the county with the user name that fits this formula: "Name of Your County/Elections" (e.g. Upshur County/Elections).
- e. Elections custodians will be required to sign a User Entity Agreement and a User Acknowledgement Agreement and fax completed documents to DPS. These documents will be presented to you online when you register for an account. Print each document and

follow the instructions provided online, but fax the documents instead of mailing them as indicated on the website. When forwarding these documents, include a letter on your county letterhead requesting access to the secured CCHS and stating that the secured system search will be used in accordance with Texas Election Code § 129.051(g).

- f. It can take up to four (4) weeks to establish an account, but once activated, authorized county personnel will be able to conduct background checks as required by Texas Election Code § 129.051(g). If you need assistance accessing the DPS website, please contact the DPS representatives at 512-424-2474.

3. **Pre-Election Security Procedures:**

- a. **Unique Identifier:** All electronic media (e.g., USB drives, memory cards, compact flash card, PCMCIA card, PEBs, voter card encoders, supervisor cards, and key cards) shall have an external permanent unique identifier (e.g., numbers, letters, or combination of numbers and letters). The identifier can be either etched or printed on a tamper resistant label. (Recommendation: include a barcode on the label, which will make it more efficient to inventory). (TEC § 129.051)
- b. **Inventory:** The general custodian of election records shall create and maintain an inventory of all electronic information storage media.
- c. **Chain of Custody of Electronic Media:** The general custodian of election records shall create a process and maintain a procedure for tracking the custody of electronic information storage media from their storage location, through election coding, through the election process, to their final post-election disposition and return to storage.
 - i. The chain of custody must utilize two or more individuals to perform a check and verification check whenever a transfer of custody takes place.
- d. **Secure Storage of Election Media:** The general custodian of election records shall create and maintain a secured location for storing the electronic information storage media when not in use, for coding a medium for an election, for transferring and installing the medium into the voting system equipment, and for storing the voting system equipment once the election parameters are loaded.
 - i. An election information storage medium shall be kept in the presence of an election official or in a secured location once the medium has been coded for an election.
 - ii. For each election, the general custodian of election records or their assigned staff shall seal each election information storage medium in its relevant voting device or container utilizing one or more uniquely identified tamper-resistant or tamper-evident seals.
 - iii. A combined master identification of the voting device equipment, the election information storage medium, and the seal(s) must be created and maintained.
 - iv. For election information storage medium that are device independent (e.g., PEBs, voter card encoders,), these devices should be stored in a secured, sealed container and must also be identified on a master log.
- e. **Chain of Custody of Voting System Equipment:** The general custodian of election records shall create a process and maintain a procedure for tracking the custody of the voting device equipment once the equipment is loaded with an election definition.

- i. The chain of custody must utilize two or more individuals to perform a check and verification check whenever a transfer of custody takes place.
 - f. **Recovery Plan:** The general custodian of election records shall have in place a recovery plan that is to be followed should there be an indication of a security breach in the accountability and chain of custody procedures. The plan **must** include notifying the Secretary of State's office immediately. Any indication of a security breach must be confirmed by more than one individual.
 - g. **Training Plan:** The general custodian of election records shall have a training plan for relevant election officials and staff that addresses these security procedures and the relevant work instructions.
4. **Storage and Transport of Voting System Equipment (TEC § 129.052):**
- a. The general custodian of election records shall adopt procedures for securely storing and transporting voting device equipment. This shall include procedures that are to be used at locations outside the direct control of the general custodian of election records, such as overnight storage at a polling location.
 - b. Secure storage must employ the use of uniquely identified tamper-resistant or tamper-evident seals and logs, or other security measures that will detect any unauthorized access.
 - c. For each election, the general custodian of election records shall create and maintain an inventory of these items for each storage location.
 - d. The chain of custody must utilize two or more individuals to perform a check and verification check whenever a transfer of custody takes place or where the voting devices have been left unattended for any length of time. Particular attention must be given to the integrity of the tamper-resistant or tamper-evident seals.
 - e. The general custodian of election records shall have a method of recording the names of the individuals who transport the voting system equipment and materials from one site to another and the time they left the sending site; and
 - f. A method of recording the time the equipment transporters arrived at the receiving site and the name of the individual(s) at the receiving site who accepted the election equipment and material.
5. **Restrict Access to Voting Systems (TEC § 129.053)**
- a. The general custodian of election records shall secure access control keys or passwords to voting system equipment. Use of access control keys or passwords must be witnessed by one or more individuals authorized to use that information. The use of an access control key or password must be documented and witnessed in a log dedicated for that purpose that is retained until the political subdivision disposes of the equipment.
 - b. The general custodian of election records must maintain these access control keys/passwords in a secured and controlled environment.
 - c. The general custodian must utilize a form, letter or a list to document and indicate the following:
 - i. List of individuals that are given an access control key or password (based on duties, positions),
 - ii. What privileges they are given,

- iii. When and where these privileges can be used, and
 - iv. An indication that the granting of access came from the general custodian of election records.
 - d. If an individual leaves, changes roles, or positions or no longer requires access, the documentation that granted access to the individual needs to be updated and amended to remove the person's eligibility. Any keys distributed should be collected and passwords should be changed as applicable.
 - e. Changes to the encryption keys and passwords are at the discretion of the general custodian of election records, but it is advisable that this discretionary authority should not be delegated. However, the individuals(s) that implement the change must have this "authorization to change" responsibility delineated within their position descriptions(s). (Note the distinction relative to describing who may authorize a change, who implements a change, and who has access but cannot change the passwords and encryption keys.)
 - i. Where appropriate, the degree of access should be defined within each relevant position description and maintained at that level within the election management system and/or equipment. This applies where a voting system can limit an individual's access to certain menus, software modules, etc.
 - f. An access log should be developed and utilized to document access to any device, election media, or election management system that requires the use of a password and/or encryption tool. If possible, access should be witnessed by one or more individuals authorized to use such information.
 - i. The log should be retained throughout the life of the device or election management system.
 - ii. The general custodian of election records shall ensure the protection of the election tabulation process by securing the premises where the vote tabulation is being conducted and not allowing unauthorized and unescorted personnel to be in contact with tabulation equipment.
 - iii. The general custodian of election records shall have a training plan for relevant election officials, and staff that address these security procedures and the relevant work instructions.
6. **Prohibit the Use of Network Connections and Restrictions on Wireless Technology (TEC § 129.054):**
- a. No voting system shall be connected to any exterior communications network, including a connection to the Internet.
 - b. A voting system may not have the capability of permitting wireless communication unless the system uses line-of-sight infrared technology that shields the transmitter and receiver from external infrared transmissions and the system can only accept transmissions generated by the system.
7. **Restrict Usage of Voting System Computers (TEC § 129.055):**
- a. All voting system computer(s)/server(s) shall be restricted to the sole purpose of election administration, and not used for other purposes.

- b. Only the applicable operating system, commercial off-the-shelf software (COTS) needed for the election process, and the certified voting software shall be loaded on a voting system computer/server.
- c. Remote Access to a voting system computer/server is not allowed.

8. Plan for Machine Failure (TEC § 129.056):

- a. The general custodian of election records shall create a contingency plan for addressing direct recording electronic voting machine failure. This plan must include timely notification to the Secretary of State's office.
- b. The plan should address the creation of emergency ballots, ballot boxes, transportation of voted ballots to the custodian of election records, and securing of DREs.

Section 10 – Automatic Recounts (if necessary) (TEC, Chapter 216)

- 1. An automatic recount must be conducted in an election requiring a plurality vote when two or more candidates for the same office tie for the number of votes required to be elected, unless the tying candidates cast lots to resolve the tie or one of them decides to withdraw.
- 2. An automatic recount must also be conducted in an election requiring a majority vote if more than two candidates tie for the highest number of votes or if two or more candidates tie for the second highest number of votes to determine who will be the runoff candidates before resorting to casting lots in order to resolve the tie.
- 3. An automatic recount must be held if the candidates in a runoff election tie before the tying candidates can cast lots to determine the winner.
- 4. The method of counting votes in an automatic recount is the same method of counting used in the election that resulted in the tie vote.
- 5. In order to initiate an automatic recount, the presiding officer of the canvassing authority shall request the recount in writing in the same manner as a recount petitioner, except that no deposit is filed with the request, and the cost of the recount is covered by the political subdivision.

Section 11 – Requested Recounts (if necessary)

- 1. Requested Recount on DRE Voting Systems (Pursuant to TEC § 214.071).
 - a. The candidate requesting a recount may request that the recount be done electronically or manually.
 - b. For an electronic recount, the persons specifically permitted by law to be present at the recount are also authorized to be present as the election media are reloaded into the central accumulator system.
 - c. For a manual recount of a DRE election, the Recount Coordinator shall organize the printing of cast vote records (ballot images) for the affected race or issue.
 - i. The Recount Coordinator shall notify the parties in the recount of the date, place, and time the printing of cast vote records (ballot images) will take place.
 - ii. The full recount committee is not required to be present at the printing of cast vote records (ballot images) and the Recount Chair shall determine how many members should be present. The persons specifically permitted by law to be

present at the recount are entitled to be present as the cast vote records (ballot images) are printed and to have the same number of representatives as allowed for the recount.

- iii. If the manual recount does not take place immediately after the printing of the cast vote records (ballot images), the printed cast vote records (ballot images) shall be locked and secured until the recount takes place.
 - iv. A manual count of the printed cast vote records (ballot images) shall be conducted in the same manner as a recount of hand-counted paper ballots.
 - v. After the recount is complete, the printed cast vote records (ballot images) shall be secured and preserved for the appropriate preservation period for maintaining election records.
2. Requested Recount on Optical Scan Voting Systems (See TEC, Chapter 214, Subchapter C)

Section 12 – Retention of Election Materials

1. Records created as part of an election must be retained for twenty-two months. In addition to the instructions provided in TEC § 66.058, electronic records shall be secured in a locked container sealed with one or more uniquely identified tamper-resistant or tamper-evident seals that is logged. This includes, but is not limited to the following:
 - a. Logic and Accuracy Test and results;
 - b. Printed audits (Real-time audit log);
 - c. Forms;
 - d. Zero tapes;
 - e. Results tapes; and
 - f. Electronic Records:
 - (1) Ballot definitions;
 - (2) Cast vote records (ballot images), as applicable;
 - (3) Audit logs; and
 - (4) Election results.
2. The electronic files can be duplicated to another storage medium (ex. External hard drive, USB drive, CD, or DVD) to meet the retention requirement and allow for the external memory store to be reused in the next election. Whatever medium you choose, you must ensure that you will have the hardware and/or software needed to read the data from the medium at a later date, if necessary.
3. A minimum of two duplicates of the electronic data must be retained, labeled and stored in a secure manner where any opening could be detected, and each placed in a different locked area with restricted access.
4. A precinct ballot scanner used in early voting may be deployed for use on Election Day only if the system provides the capability to retain a copy of the audit log(s) showing the activity during early voting.
5. The scanner system must provide the capability to view and print the audit log(s) as needed to retain the records listed above.
6. A DRE used in early voting may not be re-deployed for use on Election Day.

7. **Electronic data on a DRE, a DRE component and any external memory storage device used in conjunction with a DRE shall not be cleared until a backup of the electronic records has been performed.** Also, the electronic data on a DRE and any external memory store shall be preserved for 10 days after Election Day unless the DRE is required for another election before that time expires. If you need to use the equipment before the 10 day wait period has expired, you will need to seek a written waiver from the Secretary of State's office. If a written waiver has been issued, the results shall be preserved until the local canvass of the returns containing the election results from the DRE is complete and a backup of the electronic records has been done. Please email elections@sos.texas.gov to request your waiver.
8. A DRE shall remain secure if, before the security period prescribed above expires, the DRE's custodian receives a request to maintain security of the DRE for an extended period. This request must be in writing and signed by: (1) a person eligible to contest the election or obtain a recount; or (2) a public authority authorized to conduct a criminal investigation involving use of the DRE in the election or a person designated by the public authority to make the request.
9. For detailed instruction on how to back up your election records with your specific version of your vendor's hardware and software, please contact your vendor for assistance.

Glossary

Term	Definition
Audit Logs	Recorded information that allows election officials to view the steps that occurred on the equipment included in an election to verify or reconstruct the steps followed without compromising the ballot or voter secrecy.
Ballot Image	Electronically produced record of all votes cast by a single voter. Also known as a Cast Vote Record (CVR).
Cast Vote Record (CVR)	Permanent record of all votes produced by a single voter whether in electronic or paper copy form. Used for counting votes. Also referred to as ballot image when used to refer to electronic ballots.
Central Accumulator System	Part of an Election Management System that tabulates and/or consolidates the vote totals for multiple precincts/devices.
Commercial Off-The-Shelf (COTS)	Commercial, readily available hardware devices (which may be electrical, electronic, mechanical, etc.; such as card readers, printers, or personal computers) or software products (such as operating systems, programming language compilers, database management systems, subsystems, components; software, etc.).
Data Storage Device	A device for storing data. It usually refers to permanent (non-volatile) storage, that is, the data will remain stored when power is removed from the device; unlike semiconductor RAM. Recording can be done mechanically, magnetically, or optically.
Direct Recording Electronic (DRE)	Voting system that records votes by means of a ballot display provided with mechanical or electro-optical components that can be actuated by the voter, that processes the data by means of a computer

	program, and that records voting data and cast vote records in internal and/or external memory components. It produces a tabulation of the voting data stored in a removable memory component and/or imprinted copy.
Election Management System	Set of processing functions and databases within a voting system that define, develop and maintain election databases, perform election definition and setup functions, format ballots, count votes, consolidate and report results, and maintain audit trails.
Firmware	Computer programs (software) stored in read-only memory (ROM) devices embedded in the system and not capable of being altered during system operation.
Logic and Accuracy Test	Testing of the tabulator setups of a new election definition to ensure that the content correctly reflects the election being held (i.e., contests, candidates, number to be elected, ballot styles, etc.) and that all voting positions can be voted for the maximum number of eligible candidates and that results are accurately tabulated and reported.
PCMCIA	Personal Computer Memory Card International Association – a portable computer card.
Public Counter	Counter in a voting device that counts the votes cast in a single election.
Results Tape	A Results Tape is the tape that is printed when the polls close. It is called a Results Tape since all contests and propositions are listed and have the resulting votes next to each name or question.
Voting Device	Any apparatus by which votes are registered electronically.
Voting System	The integrated mechanical, electromechanical, or electronic equipment and software required to program, control, and support the equipment that is used to define ballots; to cast and count votes; to report and/or display election results; and to maintain and produce all audit log information.
Zero Tape	A Zero Tape is the tape that is printed when the voting machine is first set up at the polls. It is called a Zero Tape since all contests or propositions should have zero votes next to each name or question.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Tuesday, October 23, 2018 8:34 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Election advisory on vote switching
Attachments: Election Advisory No 2018-35.pdf; confirmation.docx; VOTANTES.DOCX; MW674282_confirmation_VN.DOCX; MW674282_confirmation_Chn.docx

Hello Everyone,

Attached is an advisory regarding reports of vote switching and educating voters. I have also attached a notice regarding the confirmation screen for posting in the polling place. The English and Spanish should be posted statewide. The Vietnamese in Harris and Tarrant Counties only and the Chinese in Harris County only. Please let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

MEMORANDUM

TO: Election Judges and Clerks
FROM: Keith Ingram, Director of Elections
DATE: October 19, 2018
RE: Insert for "Election Judges and Clerks Handbook 2018"

Dear Election Judge or Clerk:

Thank you for your service! This memorandum contains changes you should apply to the 2018 Handbook that are necessary to ensure that the handbook reflects current election law.

Handguns in Polling Places

On August 27, 2018, the Office of the Attorney General issued Opinion No. KP-0212 (PDF) ("opinion") which opined on whether presiding election judges are permitted to carry a handgun in a polling place on Election Day. The Office of the Attorney General concluded that because a presiding election judge has the same power of a district judge to enforce order and keep the peace, it is likely that Section 46.03 of the Penal Code does not apply to presiding election judges that are licensed to carry a handgun under Chapter 411 of the Government Code, when they are performing their law enforcement duties under Section 32.075 of the Texas Election Code. This means that a presiding judge that possesses a handgun license is permitted to carry a handgun while serving as an election judge on Election Day in limited circumstances. For additional information regarding Opinion No. KP-0212, please see Election Advisory No. 2018-29.

Distribution of Election Records When Ballots are Tabulated at the Polling Place and Precinct Returns are Completed at the Polling Place (Optical/Digital Scan and/or DRE)

In Chapter 5 Section B of the 2018 Handbook, Subsections 4(c) and (g) on page 64, the reference to "printout of results tapes(s)" should be omitted:

- c. **Contents of Envelope No. 3:** [Sec. 66.024] [addressed to the presiding judge]
- Copy of precinct returns;
NOTE: Unless you are required to send ballots due to irregularities and discrepancies in counts. [Secs. 127.156, 127.157]
 - ~~Printout of results tape(s);~~
 - A copy of the poll list (or combination form);
 - A copy of the ballot register;
 - A copy of the ballot and seal certificate; and
 - A copy of the Statement of Compensation and Oaths.

g. Contents of Ballot Box No. 4: [Sec. 66.026]

- ~~Printout of results tape(s) if instructed by the general custodian~~
- The original of the ballot register;
- The register of spoiled ballots;
- Any spoiled ballots;
- Any defectively-printed ballots;
- Any envelope containing cancellation requests and cancelled ballots; and
- Any other unused ballots.

Please note you still have to print three copies of the results tape, and those copies must be placed in Envelope No. 1, Envelope No. 2, and Ballot Box No 3.

Early Voting Cancellation

Chapter 2, Situation 8 (Early Voting Cancellation), Page 43 of the 2018 Handbook should be replaced with the following information:

**SITUATION 8.
Early Voting Cancellation**

1. If a voter whose name appears on the precinct list of early voters who had been sent an early voting ballot by mail presents himself or herself for voting at the polling place, the election officer may allow the voter to vote a provisional ballot, but only if the voter executes the affidavit of provisional voter, contained on the Provisional Ballot Affidavit Envelope, swearing that he or she is registered to vote and has not already voted early by mail.
2. The voter may also cancel his or her application to vote by mail at the polling place and vote a regular ballot if the voter surrenders his or her mail ballot or a “Notice Of Improper Delivery” (Form AW5-16a) to the presiding judge. [Sec. 84.032]
 - a. To cancel an application to vote by mail at the polling place, the voter must complete the “Request to Cancel Application for Ballot by Mail” (Form AW5-17) and surrender his or her mail ballot or provide a “Notice of Improper Delivery” to the election officer. The presiding election judge must review the request and write “CANCELLED” on the returned ballot or Notice of Improper Delivery. The judge should place the cancelled ballot or Notice and the request in the envelope for cancelled applications. If the voter’s request to cancel does not comply, the election judge must state on the request the reason it was denied and place the request in the envelope for requests of cancelled applications. The judge must then deposit the envelope in Ballot Box No. 4 or other designated container prior to delivering the box to the general custodian of election records.

NOTE: If the voter is over the age of 65 or is disabled, and has an annual application for ballot by mail, cancelling the application by surrendering the ballot on election day, will not cancel their by mail application for other elections in the calendar year.

- b. If the voter insists he or she did not request a mail ballot, receive a mail ballot, or mark the ballot that was sent to him/her by mail and insists on voting at the polling place, the election judge must inform the voter of the voter’s right to vote a provisional ballot. (See Situation 7.)

3. The voter may also cancel his/her application to vote by mail by appearing in person and surrendering the ballot to be voted by mail to the early voting clerk and executing a “Request to Cancel Application for Ballot by Mail” on election day. Once the ballot is surrendered to the early voting clerk and the application is cancelled, the voter may vote a regular ballot at his/her precinct polling place. For additional information regarding cancellation procedures, please see our Cancellation Chart.

We hope this will be useful to you as you conduct the election. Once again, we thank you for your time and your service to Texas voters!

If you have any questions regarding this election, please feel free to contact the Elections Division toll-free at 1-800-252-2216.

KI:HM

The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us



Rolando B. Pablos
Secretary of State

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

ELECTION ADVISORY **NO. 2018-35**

TO: County Clerks/Elections Administrators
FROM: Keith Ingram, Director of Elections
DATE: October 23, 2018
RE: Voting on Hart eSlate Machines

We have heard from a number of people voting on Hart eSlate machines that when they voted straight ticket, it appeared to them that the machine had changed one or more of their selections to a candidate from a different party. This can be caused by the voter taking keyboard actions before a page has fully appeared on the eSlate, thereby de-selecting the pre-filled selection of that party's candidate.

Specifically, the Hart eSlate system uses a keyboard with an "Enter" button and a selection wheel button. The "Enter" button on a Hart eSlate selects a voter's choice. The selection wheel button on a Hart eSlate allows the voter to move up and down the ballot. It is important when voting on a Hart eSlate machine for the voter to use one button or the other and not both simultaneously, and for the voter to not hit the "Enter" button or use the selection wheel button until a page is fully rendered. A voter should note the response to the voter's action on the keyboard prior to taking another keyboard action. It is also important for the voter to verify their selections are correct before casting their ballot. Step-by-step instructions for the use of a Hart e-Slate machine are available at <http://www.votetexas.gov/systems/hart-intercivic.html>.

As a reminder, voters should always carefully check their review screen before casting their ballots. If a voter has any problems, they should notify a poll worker immediately so the issues can be addressed and reported.

Attached is a notice for posting at polling locations reminding voters to review their summary screen before casting their ballot.

If you have any questions regarding limited balloting, please contact the Elections Division at 1-800-252-2216.

VOTERS

Make sure to confirm
that your summary
page accurately
reflects your choices
BEFORE casting your
ballot!

THANK YOU!

ELECTIONS OFFICE

VOTANTES

Asegúrese de confirmar
que su página de
resumen refleja con
precisión sus opciones
ANTES DE emitir su
voto!

¡Gracias!
Oficina de Elecciones

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, November 02, 2018 1:09 PM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA--SOS message regarding election day preparations

Hello Everyone:

Below is today's press release and video from Secretary Pablos. This and other news releases can be found on our [press releases](#) page. Here is a [direct link to the video](#).

Please feel free to share the press release and video as you find it appropriate to do so.

Let us know if you have any questions or concerns.

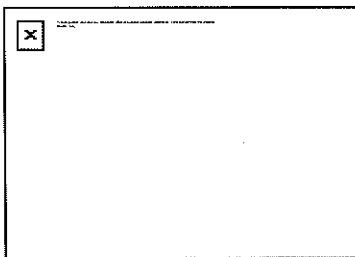
Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Having trouble viewing this email? [View it as a Web page](#).



FOR IMMEDIATE RELEASE
November 2, 2018

Contact: Sam Taylor
STaylor@sos.texas.gov
512-463-6116

VIDEO:
Ahead Of Election Day, Secretary Pablos Issues Message Encouraging Texans To Get Out

The Vote

"Your votes will count, and your voices will be heard."

AUSTIN, TX – As the Early Voting period comes to a close, Texas Secretary of State Rolando Pablos today is issuing a statewide video message to Texas voters encouraging all those who have not already cast a ballot to prepare to make their voices heard on Election Day, November 6, 2018.

"As you head to the polls, please be prepared to join the millions of Texans who are eager to cast their votes," Secretary Pablos says. "I ask you to be patient and respectful as Texans celebrate this privileged event of civic duty to exercise their fundamental right to vote."

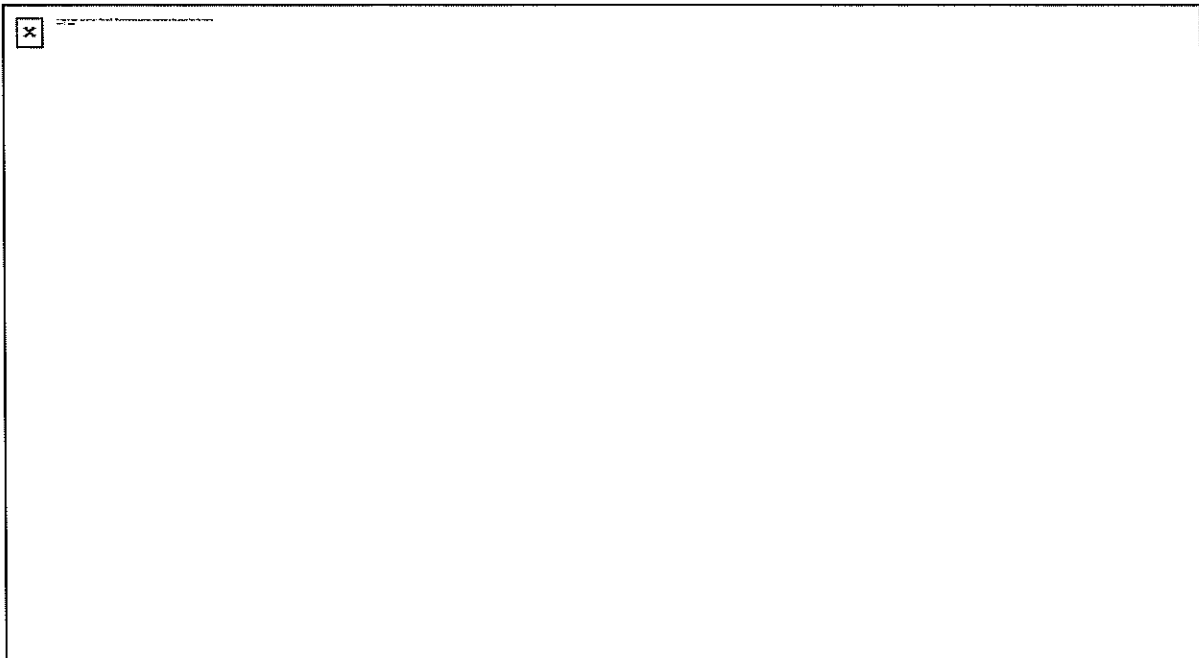
Secretary Pablos praises Texas election officials across the state who are working tirelessly to make sure Texas voters can cast their ballots with ease:

"Please know that every polling place in Texas is staffed by trained elections officials and personnel who are there to help you, are ready to assist, and can ensure that you are able to successfully cast your vote."

Finally, Secretary Pablos assures Texas voters that each of the choices on their ballots will be counted accurately and securely:

"I thank all Texans for participating in this historic election," Secretary Pablos says. "Your votes will count, and your voices will be heard. So please, get out and vote!"

Click [here](#) or on the image below to watch Secretary Pablos' full video address to Texas voters:



The Texas Secretary of State's office reminds all Texas voters to visit www.votetexas.gov for accurate information about **where**, **when**, and **how** they can cast their ballots on Election Day.

First, **where** you can cast a ballot depends on the Texas county in which you are registered to vote. In

counties that participate in the Countywide Polling Place Program (CWPP), registered voters can vote at any polling location in their county of registration. For counties that do not participate in the CWPP, voters must vote in their precinct of registration. Voters who want to know where they can cast a ballot can log in to the Texas Secretary of State's "Am I Registered?" tool and locate information about appropriate polling locations in their county or precinct.

Voting hours are from **7:00 a.m. to 7:00 p.m.** on Election Day, **Tuesday, November 6th.**

To learn **how** you will be casting your ballot, visit the "How" page on VoteTexas.gov to familiarize yourself with the voting systems in your county of registration.

Texas voters can always visit www.votetexas.gov or call 1-800-252-VOTE (8683) for more information on voting in the State of Texas.

###

Please DO NOT REPLY to this message. It comes from an un-monitored mailbox. If you have any questions regarding this announcement or wish to unsubscribe, please e-mail Sam Taylor at

STaylor@sos.texas.gov

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, November 09, 2018 8:10 AM
To: Elections Internet
Subject: MASS EMAIL (CC/EA-663): Filing the Statement of Canvass for 2018 November General Election
Attachments: Statement of Canvass Memo.pdf

County Election Officials,

Pursuant to Section 67.007 of the Texas Election Code, the County Clerk/Elections Administrator must certify the county returns as canvassed by the commissioners court and deliver those returns to the Secretary of State not later than 24 hours after the completion of the canvass.

Please be advised that Section 67.003 of the Texas Election Code states that the commissioners court must canvass the returns for the General Election not earlier than Friday, November 9, 2018, or later than Tuesday, November 20, 2018. Only two members of the commissioners court are required to be present to canvass the returns. The early voting ballot board must reconvene and count all provisional and overseas ballots. These two functions of the board may be performed at the same meeting, but must be completed no later than Monday, November 19, 2018. The votes from the late ballots and provisional ballots **must be included in the official canvass** by the court.

Please report the official returns to our office via the Elections Management and Certification System (EMCS) using the following instructions:

1. Login to the EMCS with the user name and password used on election night.
URL:<https://enr.sos.state.tx.us/ESSO/soslogin>
2. Select "Canvass" for the "2018 General Election".
3. Enter the total number of voters voted, provisional ballots casted, provisional ballots counted, and total votes cast for each candidate. Review all totals entered.
4. Certify the vote totals and save all information.
5. **Print, sign, date, affix your county seal, and return the original confirmation page to:**

Office of the Secretary of State
Elections Division
Attn: Kristi Hart
PO Box 12060
Austin, Texas 78711

Please report official returns no later than noon on **Tuesday, November 20, 2018**. This will help facilitate the canvass by the Governor.

If you have any questions, please contact our office at 1.800.252.8683 or at Elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State

800-252-VOTE(8683)

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: County Clerks/Elections Administrator
FROM: Keith Ingram, Director of Elections
DATE: November 8, 2018
RE: Instructions and Procedures for Filing the Statement of Canvass

Pursuant to Section 67.007 of the Texas Election Code, the County Clerk/Elections Administrator must certify the county returns as canvassed by the commissioner's court and deliver those returns to the Secretary of State not later than 24 hours after the completion of the canvass.

Please be advised that Section 67.003 of the Texas Election Code states that the commissioners court must canvass the returns for the General Election not earlier than Friday, November 9, 2018, or later than Tuesday, November 20, 2018. Only two members of the commissioners court are required to be present to canvass the returns. The early voting ballot board must reconvene and count all provisional and overseas ballots. These two functions of the board may be performed at the same meeting, but must be completed no later than Monday, November 19, 2018. The votes from the late ballots and provisional ballots **must be included in the official canvass** by the court.

Please report the official returns to our office via the Elections Management and Certification System (EMCS) using the following instructions:

1. Login to the EMCS with the user name and password used on election night.
URL: <https://enr.sos.state.tx.us/ESSO/soslogin>
2. Select "Canvass" for the "2018 General Election".
3. Enter the total number of voters voted, provisional ballots casted, provisional ballots counted, and total votes cast for each candidate. Review all totals entered
4. Certify the vote totals and save all information.
5. **Print, sign, date, affix your county seal, and return the original confirmation page to:**

Office of the Secretary of State
Elections Division
Attn: Kristi Hart
PO Box 12060
Austin, Texas 78711

Please report official returns no later than noon on **Tuesday, November 20, 2018**. This will help facilitate the canvass by the Governor.

If you have any questions, please contact our office at 1.800.252.8683 or at Elections@sos.texas.gov.

KI:KH

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, November 09, 2018 2:14 PM
To: Elections Internet
Subject: MASS EMAIL (CC/EA - 663): Governor/Lieutenant Governor Canvass Instructions and Procedures
Attachments: Gov-Lt. Gov Canvass Memo.pdf; 2018 Gov. Lt. Gov. Canvass Statement.pdf

Please be advised that Section 67.008 of the Texas Election Code states that the County Clerk/ Elections Administrator shall prepare **separate county election returns of an election for the office of Governor or Lieutenant Governor** that contain the same information as the returns for those offices prepared under Section 67.007 of the Texas Election Code.

Once all returns have been canvassed, please complete the attached Statement of Canvass for the offices of Governor and Lieutenant Governor. Please submit an electronic copy of each form to khart@sos.texas.gov no later than **Tuesday, November 20, 2018**.

Please print, sign, affix your county seal and return our office. Both forms should be placed in a single envelope labeled:

**“Returns of Election for Governor/Lieutenant Governor
_____ (name) County, for November 6, 2018 Election”**

Secretary of State
Elections Division
P.O. Box 12060
Austin, Texas 78711-2060

REMINDER: Do not mail these returns with the general election returns – they must be kept separate.

You must retain a copy of the county returns for the offices of Governor and Lieutenant Governor for the period for preserving the precinct election records.

If you have any questions, please contact Kristi Hart toll-free at 1-800-252-8683.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

TO: County Clerks/Elections Administrator
FROM: Keith Ingram, Director of Elections
DATE: November 9, 2018
RE: Governor/Lieutenant Governor Canvass Instructions and Procedures

Please be advised that Section 67.008 of the Texas Election Code states that the County Clerk/Elections Administrator shall prepare **separate county election returns of an election for the office of Governor or Lieutenant Governor** that contain the same information as the returns for those offices prepared under Section 67.007 of the Texas Election Code.

Once all returns have been canvassed, please complete the attached Statement of Canvass for the offices of Governor and Lieutenant Governor. Please submit an electronic copy of each form to khart@sos.texas.gov no later than **Tuesday, November 20, 2018**.

Please print, sign, affix your county seal and return our office. Both forms should be placed in a single envelope labeled:

**“Returns of Election for Governor/Lieutenant Governor
_____ (name) County, for November 6, 2018 Election”**

Secretary of State
Elections Division
P.O. Box 12060
Austin, Texas 78711-2060

REMINDER: Do not mail these returns with the general election returns – they must be kept separate.

You must retain a copy of the county returns for the offices of Governor and Lieutenant Governor for the period for preserving the precinct election records.

If you have any questions, please contact Kristi Hart toll-free at 1-800-252-8683.

KI:KH

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, November 12, 2018 10:46 AM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA--Provisional ballot reminders

Dear County Election Officials,

We have had a few questions about provisional ballots we wanted to take a moment to clarify.

1. The only provisional ballots that can be “cured” are those ballots that were cast provisionally due to lack of an acceptable ID. For those voters, they can cure their lack of ID by appearing to the voter registrar and presenting one of the acceptable photo IDs or showing a supporting ID and completing the RID. **Tomorrow November 13 is the deadline for curing ID provisional ballots.**
2. Provisional Ballot Affidavit Envelopes and the List of Provisional Voters are **NOT** public information until they have been returned back to the General Custodian of Election Records. (TAC Rule 81.176(c)(13)) (copied below).

Please let us know if you have any additional questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

(13) All Provisional Ballot Affidavit Envelopes and the List of Provisional Voters are public records after the Early Voting Ballot Board has completed their review and the Provisional Ballot Affidavit Envelopes and the List of Provisional Voters have been returned to the General Custodian of Election Records.

2018 General Election Official Canvass Statement

County: _____

Total Number of Voters Voted: _____

Provisional Ballots Cast: _____

Provisional Ballots Counted: _____

GOVERNOR

		Votes
Greg Abbott	REP	_____
Lupe Valdez	DEM	_____
Mark Jay Tippetts	LIB	_____

I, _____, County Election Official do hereby certify the returns as shown on the official canvass statement are true and correct as certified by the County Commissioners Court.

Signature

Date

2018 General Election Official Canvass Statement

County: _____

Total Number of Voters Voted: _____

Provisional Ballots Cast: _____

Provisional Ballots Counted: _____

LIEUTENANT GOVERNOR

		Votes
Dan Patrick	REP	_____
Mike Collier	DEM	_____
Kerry Douglas McKennon	LIB	_____

I, _____, County Election Official do hereby certify the returns as shown on the official canvass statement are true and correct as certified by the County Commissioners Court.

Signature

Date

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, November 12, 2018 2:23 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--Reasonable Impediment Declarations

Hello Everyone,

As we have done for the last few elections, I am asking you guys to send us copies of any reasonable impediment declarations voters used in this election. You can scan and email them to elections@sos.texas.gov. If you did not have any RIDs in your county, then please let us know that there were zero in your county. Briana Yanes is the person in our office coordinating this project. Her number is 512-463-2484 if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, November 15, 2018 11:49 AM
Subject: Mass Email Advisory--CC/EA--2018-40 - Precinct by Precinct Report
Attachments: ADV2018-40 - Precinct by Precinct Report - November 6 2018 General Election.pdf

Dear Election Officials:

Attached to this email you will find Advisory 2018-40 --Precinct by Precinct Report. After your canvass has been completed, you will be required to complete the precinct by precinct report and submit it to our office. Instructions on how to use the system are included in the advisory. Your password will be emailed to you separately.

When posted, this advisory will be available on your Conducting Your Elections page.

Please let us know if you have any additional questions or concerns.

Christina Worrell Adkins
Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Rolando B. Pablos
Secretary of State

ELECTION ADVISORY

N0. 2018-40

TO: County Clerks/Election Administrators
FROM: Keith Ingram, Director of Elections 
DATE: November 7, 2018
RE: Precinct by Precinct Report for November 6, 2018 Elections

After the canvass has been completed, you will need to complete the **precinct-by-precinct report**. All election results are required to be submitted to the Secretary of State pursuant to Section 67.017 of the Texas Election Code.

Information for logging into the system:

1. You may access the online reporting system by clicking on this link:
<https://efm.sos.state.tx.us/votaccount/signon.asp>
2. The temporary password will be emailed to you. If you have problems with your password, or need it reset, please contact our office at 800-252-8683 or elections@sos.texas.gov.

Information for entering in your precinct-by-precinct results:

1. **You should not input your results until after you have canvassed your election.** The report is meant to capture final election results.
2. **You must include both the early votes and election day votes by precinct for all races reported.**
3. We have designed three methods by which you can submit this report to our office:
 1. You can upload your results through the link above via the Secretary of State application using an Excel, PDF, or ASC formatted file. The information must include:
 - a. Political Subdivision
 - b. Election Date
 - c. Election Name
 - d. Total Provision Ballots

- e. Total Provisional Ballots Counted
 - f. Precinct Number
 - g. Total Number of Registered Voters
 - h. Race Name
 - i. Candidate Name
 - j. Early Vote Totals
 - k. Election Day Vote Totals
2. Upload a vendor provided spreadsheet including all required information using the SOS application.; or
 3. You can “build” your own report by inputting your precinct returns directly into the system. The instructions for inputting results are [online](#).
 4. **The precinct by precinct returns are required to be filed not later than 30 days after the election. All results must be submitted by December 7, 2018.**

If you need assistance with your password or have additional questions or concerns, please do not hesitate to contact our office at 800-252-8683 or elections@sos.texas.gov.

KI:CA

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, December 06, 2018 2:29 PM
To: Elections Internet
Subject: Mass Email (CC/EA/VR - 902) Announcement from Secretary Pablos
Attachments: 12.6.18_Secretary Pablos_Letter To County Election Officials.pdf

All,

Attached, please find a letter from Secretary Pablos on the occasion of his departure from the Texas Secretary of State's office. Additionally, the Secretary has issued a news release that you can read here: <https://www.sos.texas.gov/about/newsreleases/2018/120618.shtml>

Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Executive Division
Capitol Building, 1E.8
P.O. Box 12697
Austin, Texas 78711-2697

Phone: 512-463-5770
Fax: 512-475-2761
Dial 7-1-1 For Relay Services
www.sos.state.tx.us

Rolando B. Pablos
Secretary of State

December 6, 2018

Dear County Elections Administrators:

On Monday, I witnessed Governor Abbott's final certification of the November 6, 2018 General Election, and I am happy to announce all vote totals have been officially canvassed at the state level. I want to take this opportunity to thank and congratulate each of you on your incredible work in conducting yet another successful election in each of your counties throughout the State of Texas.

Year after year, you and your colleagues serve on the front lines of Democracy for our state, ensuring that each and every eligible Texan can make their voices heard at the ballot box. Furthermore, you conducted successful elections with a record number of voters heading to the polls in Texas this year. In fact, **8,364,420** Texas voters cast ballots this year – a number surpassed only by the roughly 8.9 million voters who cast ballots in the 2016 General Election.

Additionally, you helped facilitate a successful election despite challenges and unprecedented public scrutiny regarding the integrity of our state's elections systems. Despite the constant drumbeat by particular groups and individuals seeking to cast doubt and sow discord, you kept your heads high, inspired confidence among voters, and maintained the highest level of integrity. In the end, the voters of Texas were extremely well served by your professionalism and dedication to protecting their sacred democratic right to make their voices heard.

I am incredibly proud to have served as Texas' Chief Election Officer for the past two years, and have been humbled to work alongside all of you to empower the voters of our great state. It is with deep respect and gratitude that, today, I informed Governor Abbott that I am resigning as Texas Secretary of State, effective December 15th, 2018, in order to focus on my private practice and continue to serve Texas communities in whatever capacity I can provide the greatest value.

I would like to thank you all again for your outstanding job in completing yet another successful election in the State of Texas. I wish each and every one of you the very best in your future endeavors, and I am encouraged by your continued dedication to upholding the integrity of Texas' elections – now and in the future.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Pablos".

Rolando B. Pablos
Texas Secretary of State

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, December 19, 2018 2:44 PM
To: Elections Internet
Subject: MASS EMAIL (CC/EA-669): Certificate of Qualification of County and Precinct Officers
Attachments: 2018 Certificate of Qualification of County and Precinct Officers.pdf

Pursuant to Section 601.006 of the Texas Government Code, the **County Clerk** must submit a statement certifying the names and dates of qualification for county and precinct officers to the Secretary of State for issuance of Commissions.

For your convenience, you may access our online portal to submit this information at

<https://webservices.sos.state.tx.us/officials/index.aspx>.

A temporary password will be emailed separately. You will be prompted to **change your password** the first time you enter the application.

The information from 2016 is prepopulated for your convenience. You may EDIT or DELETE the information for previously elected officials. You may also ADD information for newly elected officials. You will need to verify the name, title, address, phone, fax number and email address for all officials. This information will also be used to update county contact information on the Secretary of State website.

You may start updating the data today however **do not sign and certify prior to January 1, 2019.**

Once entry is complete, please print the certification, place a county seal on the form, and mail it to:

**Office of the Secretary of State
Elections Division
P.O. Box 12060
Austin, Texas 78711-2060.**

The certified statement should be mailed to the Secretary of State on or immediately after January 1, 2019. The Secretary of State will prepare a Commission card for each duly elected official and mail to the County Clerk to disburse.

If you have any questions regarding the online form or the issuance of commissions, please contact our office at 1-800-252-8683 or elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

David Whitley
Secretary of State

MEMORANDUM

TO: County Election Officials

FROM: Keith Ingram, Director of Elections

DATE: December 19, 2018

RE: Certificate of Qualification of County and Precinct Officers

Persons elected to regular terms of office take office on the first day of January following their election, or as soon thereafter as possible. Pursuant to Section 601.006 of the Texas Government Code, the **County Clerk** must submit a statement certifying the names and dates of qualification for county and precinct officers to the Secretary of State for issuance of Commissions.

For your convenience, you may access our online portal to submit this information at <https://webservices.sos.state.tx.us/officials/index.aspx>. A temporary password will be emailed separately. You will be prompted to **change your password** the first time you enter the application.

The information from 2016 is prepopulated for your convenience. You may EDIT or DELETE the information for previously elected officials. You may also ADD information for newly elected officials. You will need to verify the name, title, address, phone, fax number and email address for all officials. This information will also be used to update county contact information on the Secretary of State website.

You may start updating the data today however **do not sign and certify prior to January 1, 2019.**

Pursuant to Section 601.003 of the Texas Government Code, if a person was elected to an office for a full term, he or she cannot assume the duties of office until the beginning of the term, which is January 1, 2019. For these officials, please indicate **January 1, 2019** as the qualification date for office. Additionally, persons elected to full terms qualify by: 1) filing the statement of officer with the **local authority**; 2) taking their constitutional oath of office; 3) filing a bond (if required); and 4) assuming the duties of their office on January 1 or as soon thereafter as possible. Please note that the commissioner's court members have additional items to which they must swear pursuant to Section 81.002, Texas Local Government Code. Our office does not prescribe the oath. You may want to include these statements in the constitutional oath.

Pursuant to Section 601.004 of the Texas Government Code, a person elected to an **unexpired term** may assume his or her duties immediately upon receiving his or her Certificate of Election from the County Judge and qualifying for office.

Once entry is complete, please print the certification, place a county seal on the form, and mail it to: Office of the Secretary of State, Elections Division, P.O. Box 12060, Austin, Texas 78711-2060. **The certified statement should be mailed to the Secretary of State on or immediately after January 1, 2019.** The Secretary of State will prepare a Commission card for each duly elected official and mail to the County Clerk to disburse.

If you have any questions regarding the online form or the issuance of commissions, please contact our office at 1-800-252-8683 or elections@sos.texas.gov.

KI:KH

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, January 02, 2019 11:28 AM
To: Elections Internet
Subject: MASS EMAIL (CC/EA/VR-896) - 2018 EAVS Survey

Hello Everyone,

The data collection templates for the 2018 Election Administration and Voting Survey (EAVS) are now available on the EAVS Portal (<https://eavsportal.com>).

This year there are two template options to make the EAVS an easier and more straightforward process. The two templates are:

- **New!** Online Template: New in 2018, you will be able to enter data into the online survey at <https://survey.eavsportal.com/>. This template will allow you to enter data item by item. You will be provided a unique password to access the template. (*Note: There is only **one password per county**. Therefore, **ALL** election officials accessing and entering data on the online survey must be finished **BEFORE** finalizing/submitting the county survey.*)
- Data Aggregation Excel Template: As in 2016, you will be able to copy data and paste it directly into this template.

Whenever you are having difficulty understanding what a question is asking for, the attached supplemental instructions should be your first stop. In addition, the vendor administering the survey this year has put together a series of instructional videos broken down by survey section. Those videos are [located here](#).

Of course we are here to help as well. You may contact our office at 1-800-252-8683 or at Elections@sos.texas.gov as needed. Again, I would strongly encourage you to review the supplemental instructions and watch the applicable videos first as they will answer most questions.

Also, as I have mentioned, this data is very important. Please do your best to answer all of the questions and to make sure that you understand what the question is asking before answering it. The better the data is that we collect, the better this tool will be at measuring what is happening in elections in Texas.

All information should be reported to our office by January 25, 2019.

Thank you in advance for your work on this project. Let me know if you need anything else.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, January 09, 2019 2:16 PM
To: Elections Internet
Subject: MASS EMAIL (CC/EA-654) Legislative Canvass for Governor/Lt. Governor

Hello Everyone,

The legislative canvass of the November 6, 2018 General Election vote totals for Governor and Lt. Governor will be held tomorrow at 12:00. All county returns submitted by your offices were delivered to the Clerk of the House of Representatives yesterday afternoon in preparation. Thank you all for working with our office on this matter and for sending all of the requested information.

The Speaker of the House of Representatives has requested that all County Clerks/Elections Administrators be available from 12:00 – 2:00 tomorrow during the canvass in case any questions regarding the numbers you submitted arise. If you will not be in your office during that time, please make every effort to ensure that you can be reached as needed.

Again, thank you for your assistance. If you have any questions, please feel free to contact our office.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, January 10, 2019 4:14 PM
To: Elections Internet
Subject: MASS EMAIL (CC/EA-680): Legislative Canvass

Hello everyone,

I just wanted to write and let you know that everything went very well and smoothly with the legislative canvass today. Thank you for being on stand by and thank you very much for getting the returns to us so that today would go off without a hitch. Your cooperation was essential to the success of the canvass and we thank you for your help.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, January 11, 2019 2:11 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA (69 counties) (145)--Reasonable Impediment Declaration reminder

Hello Everyone,

I am writing to this group of 69 counties because we haven't yet received copies of your reasonable impediment declarations from the November 2018 general election. Please copy and send to us all of your RID's that were used in that election. You can scan and email them to elections@sos.texas.gov or you can send them regular mail to P.O. Box 12060, Austin, Texas, 78711.

If you did not use any RID's in the 2018 general election, we need you to respond to this email and tell us that you have none to send us for that election.

Thank you for your help on this. If you have any questions, please call my assistant Briana at 512-463-2484.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

VOTETEXAS.GOV
POWERED BY THE TEXAS SECRETARY OF STATE

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, January 25, 2019 4:57 PM
To: Elections Internet
Subject: MASS EMAIL (CC/EA/VR - 883) -- Secretary Whitley Issues Advisory On Voter Registration List Maintenance Activity

Dear Election Officials:

As you may know, earlier we issued Advisory 2019-02 - Use of Non-U.S. Citizen Data obtained from the Department of Public Safety. In addition to this advisory, the Secretary of State has issued the news release below.

If you receive any requests for the data we are sending you, please contact your county attorney to seek guidance from the Office of the Attorney General on what information is producible under a public information request with respect to this data.

Please let us know if you have any questions or concerns.

Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved

Having trouble viewing this email? [View it as a Web page.](#)

Texas Secretary of State



David Whitley

FOR IMMEDIATE RELEASE

January 25, 2019

Contact: Sam Taylor

STaylor@sos.texas.gov

512-463-6116

Secretary Whitley Issues Advisory On Voter Registration List Maintenance Activity

"Integrity and efficiency of elections in Texas require accuracy of our state's voter rolls"

AUSTIN, TX – Texas Secretary of State David Whitley today issued an advisory to county voter registrars regarding voter registration list maintenance activities, which include identifying any non-U.S. citizens registered to vote in the State of Texas. For the past year, the Texas Secretary of State's office has worked closely with the Texas Department of Public Safety (DPS) to evaluate information regarding persons identified to not be citizens of the United States. This voter registration list maintenance activity is being conducted in accordance with federal and state law to ensure that only qualified voters - who must first and foremost be U.S. citizens - are registered to vote in Texas elections.

Through this evaluation, the Texas Secretary of State's office discovered that a total of approximately **95,000** individuals identified by DPS as non-U.S. citizens have a matching voter registration record in Texas, approximately **58,000** of whom have voted in one or more Texas elections. Voting in an election in which the person knows he or she is not eligible to vote is a second-degree felony in the State of Texas. Upon receipt of this information, the Texas Secretary of State's office immediately provided the data in its possession to the Texas Attorney General's office, as the Secretary of State has no statutory enforcement authority to investigate or prosecute alleged illegal activity in connection with an election.

Secretary Whitley issued the following statement:

"Integrity and efficiency of elections in Texas require accuracy of our state's voter rolls, and my office is committed to using all available tools under the law to maintain an accurate list of registered voters. Our agency has provided extensive training opportunities to county voter registrars so that they can properly perform list maintenance activities in accordance with federal and state law, which affords every registered voter the chance to submit proof of eligibility. I would like to thank the Department of Public Safety for providing us with this valuable information so that we can continue to guarantee the right to vote for all eligible Texas voters, who should not have their voices muted by those who abuse the system."

Going forward, the Texas Secretary of State's office will use information it obtains from DPS on a monthly basis to cross-reference with Texas' statewide voter registration database and match potential non-U.S. citizens who have registered to vote. Once a voter registration is identified as a match, the Texas Secretary of State's office will notify the county in which the person is registered so that the county voter registrar can take action.

The following combinations of matches between information in DPS-provided data and the statewide voter registration database are used to identify possible non-U.S. citizens registered to vote:

- Last Name, First Name, and Full Social Security Number;
- Last Name, First Name, and DPS-issued Driver License, Personal Identification Card, or Election Identification Certificate Number; or
- Last Name, First Name, Last Four Digits of Social Security Number, and Date of Birth

If a registered voter is identified as a non-U.S. citizen, he or she should receive a Notice of Examination (PDF) from the county voter registrar indicating that his or her registration status is being examined on the

grounds that he or she is not a U.S. citizen. The registered voter will then be required to provide proof of citizenship in order to stay registered, which may be done by submitting to the voter registrar a copy of one of the following documents:

- A certified copy of the voter's birth certificate
- United States passport; or
- Certificate of naturalization (Citizenship certificate)

If the person responds indicating he or she is not a U.S. citizen, or fails to respond to the Notice within 30 days, then the voter registration will be cancelled by the county voter registrar. County voter registrars have been provided with numerous training opportunities to ensure that list maintenance activities are conducted in accordance with state and federal law so as to not affect eligible voters.

Texas voters who wish to check their registration status can visit the Texas Secretary of State's "[Am I Registered?](#)" tool online or [contact the voter registrar in their county of registration](#).

###

Please DO NOT REPLY to this message. It comes from an un-monitored mailbox. If you have any questions regarding this announcement or wish to unsubscribe, please e-mail Sam Taylor at STaylor@sos.texas.gov

Stay Connected with Texas Secretary of State:



SUBSCRIBER SERVICES:
[Manage Subscriptions](#) | [Unsubscribe All](#) | [Help](#)

This email was sent to cadkins@sos.texas.gov using GovDelivery Communications Cloud on behalf of: Texas Secretary of State · 707 17th St, Suite 4000 · Denver, CO 80202

govDELIVERY 

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, February 01, 2019 11:47 AM
To: Elections Internet
Subject: Mass E-mail (VR/EA/V-661) - Additional information pertaining to Advisory 2019-02

Dear Voter Registrars/Election Administrators-

On Friday, we issued Advisory No. 2019-02 related to your requirement to conduct list maintenance activities. As you know, list maintenance activities are an ongoing process, and we thank you for your collaboration and feedback thus far. The data we provide to you is the starting point, and your data matches should be reviewed before you send out any Notices of Examination. Many of you have begun working through the lists to determine whether or not you should issue a Notice of Examination to registered voters who were matched to the data requested from DPS. We are working with DPS as part of our ongoing collaboration between the state and the counties to provide additional information to assist you in making your determinations. After speaking to a number of counties, we wanted to share some of the tools and resources that we have found counties are using to help identify potential matches that will not have a Notice of Examination issued.

1. **Review your application files:** Look at the sources you have for the current or previous applications (if available). Any application electronically transmitted from DPS should indicate citizenship was verified by DPS at the time the voter registration application was submitted. Some county voter registrars or VDRs participate in naturalization ceremonies and maintain lists of naturalized citizens or can identify which applications were completed at a naturalization ceremony. Additionally, a voter may have previously been issued a Notice of Examination for citizenship and provided such documentation. If you have that documentation on file, you would not need to issue a new Notice of Examination.
2. **Look to other entities that may have verified citizenship.** As a reminder, under Section 16.033, Texas Election Code, the voter registrar has the right to use any lawful means to investigate whether a registered voter is currently eligible for registration in the county. There are other governmental entities in or around your county that may have verified citizenship. Several counties have informed us that they are reaching out to local immigration offices to determine whether or not they can obtain lists from these sources.

Please note a person may provide proof of citizenship by personal delivery, mail, fax or scanned attachment sent via email.

In addition, several counties have contacted us about receiving public information requests pertaining to Advisory 2019-02 and the data that our office has provided to counties in connection with that advisory. It is our understanding that the Office of the Attorney General ("OAG") believes information related to the advisory, including data provided to the counties by our office and the counties' correspondence with voters, may constitute law enforcement information excepted from disclosure under the Public Information Act (Texas Government Code § 552.108). Information sought in the requests may relate to pending or reasonably anticipated litigation involving the advisory (Texas Government Code § 552.103). If you receive a public information request, please contact your county attorney to request a ruling from the OAG's Open Records Division and to notify any appropriate third parties (including the OAG's Public Information Coordinator at publicrecords@oag.texas.gov) so that these parties may submit their own arguments regarding disclosure to protect the privacy of those involved. For additional questions related to public information requests, please contact the Open Government Section of the OAG at (512) 478-6736 or Toll Free: (877) 673-6839.

Our goal in this process is two-fold: (1) Maintain accurate voter registration rolls by conducting routine list maintenance activities as required by federal law, and (2) Ensure that eligible voters maintain their registration. It is our goal to

provide you with the tools necessary to meet both of these goals. The feedback we are getting from you regarding your data is vital to this process. Like many other election and voter registration activities, we are working together on this. We thank you for your feedback and continue to welcome any further feedback so that we can work together to ensure an effective and efficient process of maintaining an accurate list of registered voters going forward.

Keith Ingram

Director, Elections Division

Office of the Secretary of State

800-252-VOTE(8683)

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, February 15, 2019 3:46 PM
Subject: Mass Email-- (EA/VR) -- Additional guidance based on feedback pertaining to Advisory 2019-02

Hello everyone,

Over the last two weeks, we have continued to receive feedback from you on Advisory 2019-02. Based on this feedback, we'd like to offer the following additional guidance:

1. **Weak matches don't require you send a Notice of Examination:** As we stated in the Advisory, for this matching program, we used our STRONGEST matching criteria (First Name, Last Name full 9 of SSN; First Name, Last Name, Full DL number; First Name, Last Name, Last 4 or SSN and DOB), but we have instructed you to treat them like WEAK matches. As you know, by treating it like a weak match, you do NOT automatically take action on it. For weak matches, you have the authority to use any lawful means necessary to investigate. After you have investigated, if you do not feel confident sending the Notice of Examination to the voter in question you are not required to take action on it.
2. **Compare dates of registration to dates of last DPS transaction:** If a registered voter in your county has an Effective Date of Registration (EDR) BEFORE the date of the voter's last (most recent) transaction with DPS during which the individual indicated that he or she is not a U.S. citizen and provided proof of lawful presence, we recommend you prioritize those matches for sending notices of examination.
3. **Reinstatement Process:** If you choose to send out a Notice of Examination and a voter is subsequently cancelled for a failure to respond to the notice, that voter's registration will be cancelled. If the voter later appears and provides proof of citizenship, these voters **MUST** be reinstated. Reinstatement of registration takes effect **immediately**.
4. **Clerical Errors on Application Processing:** A number of counties have informed us that they are discovering their own errors in processing applications. Specifically, a voter submitted a voter registration application, marked "no" on the US Citizenship question, but the county mistakenly registered that voter. For these voters, you do **NOT** have the authority to cancel them. Despite the fact the error was made when the application was submitted, these are now registered voters and have the rights associated with being a registered voter. You would need to send the Notice of Examination to these voters to allow them the opportunity to respond and provide proof of citizenship. If they do not respond, you would cancel for failure to respond.
5. **Allowable Documentation:** We've had a number of questions about the allowable documentation. Below are the issues we've been asked for guidance on:
 - a. **Submission of documents:** Under 1.007 of the Texas Election Code, proof of citizenship can be provided via personal delivery, mail, fax or **email**.
 - b. **Types of documents:** Per 16.0332 of the Texas Election Code, a voter must respond to any Notice of Examination sent out for this purpose by providing a certified copy of a voter's birth certificate, US passport or passport card, or citizenship papers or any other form prescribed by the Secretary of State. A **copy** of any of the above mentioned documents is sufficient to provide proof of citizenship.
6. **Voter requests for individual data:** A number of counties have told us that voters are proactively reaching out to the counties to inquire as to whether or not they have been identified by DPS as a noncitizen because they want to proactively provide proof of citizenship, if necessary. If you are able to verify that the inquiring

registered voter has indeed been identified as a noncitizen, you may confirm that fact to the registered voter and advise the voter that he or she has the option of:

- a. Responding to a Notice of Examination letter affirming his or her US citizenship; or
- b. Providing proof of US citizenship to the voter registrar in person or by mail, fax or email

Once the individual's citizenship has been verified by your office, you should mark the task 'RESOLVED' and no further action will be required.

Thank you very much for your work on this project as well as the other daily voter registration work that you do so well. We are determined to be your partners in this work. If there is anything that we can do or that you think we should know, please feel free to contact us directly.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, February 22, 2019 3:09 PM
Subject: Mass Email -- (EA/VR) -- Update Regarding Advisory 2019-02

Hello Everyone,

This email is to update you on the progress of the data set regarding the DPS non-citizen matches. We would like to thank you for your feedback and consultation as we ensure that we can continue to provide you with the best possible data set we can ascertain at the state level. We have met with DPS several times and they have given us a list that omits any individuals that DPS data shows is a U.S. citizen.

We are prepared to immediately close the tasks as resolved for those individuals on your dashboard for which you do not need to take any further action. We are in the process of closing those tasks, and they should all be closed by Monday. If you have already sent a notice of examination to those individuals, you should send a letter notifying the voter that you are no longer investigating the voter and they do not need to respond to the notice. If the voter does not respond to the notice, the voter will remain registered and no further action needs to be taken.

If you wish to receive a new data set, please let us know and it will be provided to you.

Please let us know if you have any questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, February 25, 2019 5:07 PM
To: Elections Internet
Subject: Additional Information Regarding Advisory 2019-02
Attachments: Starr County.xlsx

Hello,

We have closed the tasks as resolved for those individuals that DPS data shows is a U.S. citizen. In our efforts, we have identified that we are unable to close tasks on your dashboard for which an action has already been taken, specifically those tasks for which a notice of examination was generated.

We have attached for your review a list of the names of those individuals in your county for whom TEAM indicates a letter was generated that have since been removed from the potential non-citizen list. If you have already sent a notice of examination to these individuals, you should send a letter notifying the voter that you are no longer investigating the voter and they do not need to respond to the notice. If you have not sent the notice of examination, you do not need to do so.

For the voters on the attached list, you will need to manually close the tasks for these individuals on your dashboard by marking as resolved. Do not cancel the voter registrations for any of these voters. If you have cancelled any of them, you need to reinstate the registration immediately.

Please let us know if you have any additional questions.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, March 04, 2019 12:05 PM
To: Elections Internet
Subject: Mass Email--VR/EA--Advisory 2019-03 - Court Orders in Pending Litigation
Attachments: Order 2.27.19.pdf; Order 2.28.19.pdf

Sensitivity: Personal

ELECTION ADVISORY
NO. 2019-03

TO: Voter Registrars/Elections Administrators

FROM: Keith Ingram, Director of Elections

DATE: March 4, 2019

RE: Court orders in pending litigation involving non-citizen list maintenance process

We are writing to advise you of developments on the recently initiated non-citizen list maintenance process. As you know, lawsuits challenging this process were filed in federal courts in San Antonio, Corpus Christi, and Galveston over the last month. These lawsuits were recently consolidated into one case before Judge Fred Biery in the Western District of Texas, San Antonio Division.

On February 27 and February 28, the district court entered the attached preliminary orders. The district court noted the “unanimity among the parties, counsel and the Court that non-American citizens are ineligible to vote.” And the district court acknowledged that the non-citizen list maintenance process was performed in good faith to carry out statutory list maintenance duties. At the same time, counties should pause their efforts on this list maintenance process as they continue to review the now-refined data generated from the DPS database.

In this case, and in previous cases involving voter roll maintenance, the Secretary of State has maintained that he lacks the power to order counties to update their voter rolls. However, pursuant to the district court’s February 27 order, the Secretary of State advises all counties “not to send any notice of examination letters nor remove voters from registration without prior approval of the Court with a conclusive showing that the person is ineligible to vote.” I am alerting you that the district court ordered that, in relation to the list at issue in Election Advisory No. 2019-02, local officials are “not to remove any person from the current voter registration list until authorized by this Court.” These provisions of the district court’s order do “not prohibit the removal of any person based upon information independent of Advisory 2019-02, such as death, relocation or felony conviction,” or the removal of any persons who are excused or disqualified from jury service because of non-citizen status or persons who request to be removed from the rolls because of their lack of citizenship.

Additionally, to the extent that the Secretary of State provides subsequent lists of potential non-citizen matches on a monthly basis, this office advises all counties “not to send notice of examination letters nor remove voters from registration without prior approval of the Court,” as indicated in the district court’s February 27 order. Again, this “does not prohibit the removal of any person based upon information independent of Advisory

2019-02, such as death, relocation or felony conviction,” or the removal of any persons who are excused or disqualified from jury service because of non-citizen status or persons who request to be removed from the rolls because of their lack of citizenship.

Please also note that the district court’s order allows local officials to “continue to find out if in fact someone is registered who is not a citizen, so long as it is done without communicating directly with any particular individual on the list.” Pursuant to the district court’s order, if voters “initiate the contact with a county elections administrator,” you may communicate directly with these individuals.

As we learn more, we will update you.

Sincerely,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

FEB 27 2019

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY  FIDELITY

TEXAS LEAGUE OF UNITED LATIN
AMERICAN CITIZENS, ET AL.,

Plaintiffs,

V.

DAVID WHITLEY, in his Official Capacity
as Secretary of State for the State of Texas;
ET AL.,

Defendants.

CIVIL ACTION NO. SA-19-CA-074-FB

ORDER

Before the Court are a number of preliminary issues related to protecting the integrity of the election process and ensuring the Equal Protection of the laws for all Texans. There is unanimity among the parties, counsel and the Court that non-American citizens are ineligible to vote.

The evidence has shown in a hearing before this Court that there is no widespread voter fraud. The challenge is how to ferret the infinitesimal needles out of the haystack of 15 million Texas voters. The Secretary of State through his dedicated employees, beginning in February 2018, made a good faith effort to transition from a passive process of finding ineligible voters through the jury selection system in each county to a proactive process using tens of thousands of Department of Public Safety driver license records matched with voter registration records. Notwithstanding good intentions, the road to a solution was inherently paved with flawed results, meaning perfectly legal naturalized Americans were burdened with what the Court finds to be ham-handed and threatening correspondence from the state which did not politely ask for information but rather exemplifies the power of government to strike fear and anxiety and to intimidate the least powerful among us.¹ See Attachment A (TX-LULAC

¹*Boustani v. Blackwell*, 460 F. Supp. 2d 822, 827 (N.D. Ohio 2006) (Boyko, J.) ("This Court has personally presided over numerous naturalization ceremonies and has witnessed firsthand the joy of these new Americans and their intense desire to participate in this nation's democratic process. There is no such thing as a second-class citizen

Exhibit 4). No native born Americans were subjected to such treatment. *See* U.S. CONST. amend XIV, § 1 (“[N]or shall any State . . . deny to any person within its jurisdiction the equal protection of the laws.”). Out of 98,000 new American voters on the list, thus far approximately 80 have been identified as being ineligible to vote.² Almost immediately upon sending the list, the government had an “oops” moment, realizing that 25,000 names should not have been included. It appears this is a solution looking for a problem. Indeed, Secretary of State Whitley has accepted responsibility and apologized for the failure to seek confirmation of the accuracy, appropriateness, competency and due diligence of the process before the rollout. Though promising more transparency, the Secretary has resisted plaintiffs’ legal concerns as opposed to entering into an agreed solution precluding further fear and intimidation. *See* Attachment B (TX-LULAC Exhibit 54); *see also United States v. Florida*, 870 F. Supp. 2d 1346, 1347, 1348 (N.D. Fla. 2012) (Hinkle, J.) (explaining that Florida election officials identified only “a small number” of ineligible voters from Secretary of State’s list of “180,000 registered voters who he said might be noncitizens”).³ The Florida program, similar in nature to Texas, was ultimately abandoned by the state. *Florida*, 870 F. Supp. 2d at 1350-51. Here, for the local officials responsible for implementing the program, it was not a Henry David Thoreau moment

or a second-class American. Frankly, without naturalized citizens, there would be no America. It is shameful to imagine that this statute is an example of how the State of Ohio says thank you to those who helped build this country.”). I concur. (Biery, J.).

²The Bard might say this is much ado about nothing. WILLIAM SHAKESPEARE, *MUCH ADO ABOUT NOTHING*, act 3, sc.1. On the other hand, for the people who perceive discriminatory impact, it is much ado about their constitutionally protected rights.

³As plaintiffs’ counsel stated at the preliminary injunction hearing, “[o]n the Florida case, . . . they started at 180,000 identified voters in that state, and by the time they went through all the sifting, they ended up with 85” people who were ineligible to vote. (Docket no. 57, at page 52, lines 12-20); *see also Editor’s Note on Nov. 12, 2018 to Story Published in May 2012*, <https://www.nbcmiami.com/news/local> (last visited Feb. 26, 2019) (explaining that Florida election documents show that initial list of 180,000 names was whittled to only 85 ineligible voters).

("Simplify, simplify.")⁴ Rather, the Court heard compelling evidence concerning confusing and contradictory communications from the Secretary of State.

While the Court awaits proposed findings of fact and conclusions of law regarding the preliminary injunction issues, the Court is prepared to address some issues.

Defendants Whitley and Paxton have moved to dismiss, alleging the Court has no jurisdiction and plaintiffs have failed to state a claim. To the extent defendants rely upon state statutes in support of the jurisdictional motion, the Court holds that the United States Constitution trumps state law in appropriate circumstances, this being one. Moreover, given the highly credible evidence presented by plaintiffs, the Court finds overwhelmingly that claims for relief have been properly stated. Accordingly, defendants' motion to dismiss (docket no. 20) is DENIED.

Plaintiffs have also sued Attorney General Paxton, whose only involvement shown thus far is a press release, which the Court finds arguably vituperative in tone but nevertheless states the Attorney General's authority and, therefore, without further proof is within his First Amendment right to free speech. *See* Attachment C (TX-LULAC Exhibit 3). Clearly, this statement is not yelling fire in a crowded theater and therefore not subject to being censured.⁵ While the Court would prefer that political rhetoric be newtralized to more civil discourse, Article III of the Constitution bestows no power on the federal judiciary to make wishes come true. Accordingly, plaintiffs' request for relief regarding the press release is DENIED.

The Court awaits final advice from the individual counties which are parties concerning whether they will agree to pause the process, particularly not sending any notice of examination letters without

⁴HENRY D. THOREAU, WALDEN 91 (J. Lyndon Shanley ed., Princeton Univ. Press 1971) (1854).

⁵As Justice Oliver Wendell Holmes, Jr. stated in *Schenck v. United States*, 249 U.S. 47, 52 (1919): "The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic."

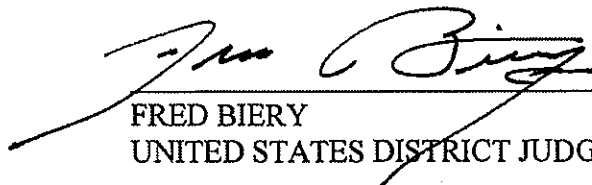
prior approval of the Court. Local officials can continue to find out if in fact someone is registered who is not a citizen, so long as it is done without communicating directly with any particular individual on the list. In addition, local officials are ORDERED not to remove any person from the current voter registration list until authorized by this Court. As to the first rollout of 98,000, the Secretary of State is ORDERED to tell other counties which are not parties to this litigation, or party counties which will not agree to a pause, not to send any notice of examination letters nor remove voters from registration without prior approval of the Court with a conclusive showing that the person is ineligible to vote.

With reference to the new lists being prepared based on contemporaneous applications for driver licenses and applications to register to vote, the Secretary of State may proceed with the monthly rollouts. However, the Secretary of State is affirmatively ORDERED to advise and direct local voting officials not to send notice of examination letters nor remove voters from registration without prior approval of the Court.

The Court further finds and concludes the Secretary of State, though perhaps unintentionally, created this mess. As Robert Fulghum taught in *All I Really Need to Know I Learned in Kindergarten*, "always put things back where we found them and clean[] up our own messes." ROBERT FULGHUM, *ALL I REALLY NEED TO KNOW I LEARNED IN KINDERGARTEN: UNCOMMON THOUGHTS ON COMMON THINGS* (Villard Books 1986).

IT IS SO ORDERED.

SIGNED this 27th day of February, 2019.


FRED BIERY
UNITED STATES DISTRICT JUDGE

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Thursday, March 07, 2019 2:11 PM
To: Elections Internet
Subject: MASS EMAIL--CC/EA--27 counties (50)--Reasonable impediment declarations

Sensitivity: Personal

Hello Everyone,

I am writing to you twenty-seven counties because we have not yet received copies of your reasonable impediment declarations from the 2018 general election. Please scan those and send them to elections@sos.texas.gov as soon as possible.

If you did not have any reasonable impediment declarations, then simply respond to this email by saying that you didn't receive any.

Thank you very much for your assistance in this matter.

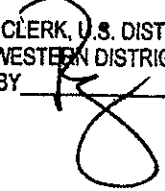
Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as personal legal advice to you for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

FILED

FEB 28 2019

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

TEXAS LEAGUE OF UNITED LATIN
AMERICAN CITIZENS, ET AL.,

Plaintiffs,

V.

DAVID WHITLEY, in his Official Capacity
as Secretary of State for the State of Texas;
ET AL.,

Defendants.

CIVIL ACTION NO. SA-19-CA-074-FB

ORDER REGARDING JOINT ADVISORY FROM COUNTY DEFENDANTS

The county defendants seek clarification of the Order (docket no. 61) issued on February 27, 2018. (Docket no. 62). As noted in the advisory, “all Texas counties routinely receive information from a variety of sources (including the Secretary of State) regarding voters who are deceased, have moved to another county or state, are convicted of a felony, or are not citizens.” *Id.* at page 2. The county defendants inquire whether “the Court’s Order to not remove any voter based on information received from Advisory 2019-02 . . . is broad enough to prohibit the removal of ‘any person from the current voter registration list until authorized by this Court,’ for any reason, based upon information independent of Advisory 2019-02.” *Id.* The Court’s Order is limited to the removal of any person from the current voter registration list based on non-citizenship and does not prohibit the removal of any person based upon information independent of Advisory 2019-02, such as death, relocation or felony conviction.

The county defendants also advise “the Court that they may be unable to avoid communicating directly ‘with any particular individual on the list’ should those voters initiate the contact with a county

elections administrator. However, the county defendants advise the Court that they will not initiate such contact.” *Id.* This is acceptable to the Court.

The advisory also brings to the Court’s attention that the *Garibay* plaintiffs’ motion for leave to file a second amended complaint, which seeks to add as defendants Angelina County, Bandera County, Blanco County, Bosque County, Brazos County, Gregg County, Kerr County, Victoria County and Willacy County, is pending. It is due to an administrative oversight that these counties are not properly before the Court at this time. Accordingly, an order granting the motion shall be issued simultaneously with this response to the joint advisory.

It is so ORDERED.

SIGNED this 28th day of February, 2019.



FRED BIERY
UNITED STATES DISTRICT JUDGE

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, March 11, 2019 4:30 PM
To: Elections Internet
Subject: MASS EMAIL (EA/VR) -- Notice To Counties Regarding Test Data In TEAM

Sensitivity: Personal

Dear County Officials,

We would like to inform you that your office may have received some list maintenance files this morning in error. These files should not have been sent to your county. Working through our vendor, we were in the process of running data in our test environment; however, due to a technical error, it inadvertently got pushed out into production.

For online counties, the dashboard activities related to these files were immediately removed. For offline counties receiving a voter export file, we ask that you completely disregard the file. Please do not move forward in working with that data at this time.

If you have any additional questions, please do not hesitate to contact our office at (512)262-8683 or at Elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, March 15, 2019 11:32 AM
Subject: MASS EMAIL-- (EA/VR/CJ 1139) -- Election Security Assessment Guidance
Attachments: Joint Letter to County Elections Administrators_8.29.18.pdf; Shared Services ILC - TEMPLATE.PDF; MSS Terms and Conditions - TEMPLATE.PDF; ESA SPP - TEMPLATE.pdf

Sensitivity: Personal

County Election Officials,

As you may be aware, Texas received funding from the US Election Assistance Commission ("EAC") as a result of the 2018 Help America Vote Act ("HAVA") Security Funding. As we announced in the attached joint letter in August of 2018, the Texas Secretary of State ("SOS") has partnered with the Texas Department of Information Resources ("DIR") to provide an Election Security Assessment ("ESA") program through DIR's Shared Technology Services, Managed Security Services ("MSS"). DIR has contracted with AT&T as its MSS vendor, who has partnered with CyberDefenses for the ESA project. The ESA is designed to provide recommendations to improve the security of the election process at the county level through a comprehensive review of the procedures, technology and affected staff.

To the counties that have already participated, we want to say -- Thank You. These counties have provided extremely helpful and positive feedback. For those that have not yet executed the necessary documents to schedule an assessment, I want to take a few moments to provide a general overview of this important program and encourage your county's participation.

How to participate:

First and foremost, if you haven't already been contacted by AT&T or if you have been contacted and wish to proceed with an assessment, please reach out to Gene Moore – AT&T – gm4738@att.com, 214-794-3149. Gene will gather the information needed to move to the next step, and will be your contact person during the preparation phase of the assessment.

To participate in the project, there are three contractual components:

1. Interlocal Contract ("ILC") for Shared Technology Services between the county and DIR, which requires a signature, along with Terms and Conditions for Managed Security Services. This allows the counties to participate in the Shared Technology Services MSS Program.
2. Solutions Proposal Package ("SPP"), which is similar to a scope of work and contains responsibilities for both parties. The SPP has been pre-negotiated by DIR, SOS, and AT&T. No changes can be made to the SPP without SOS approval and will only be considered on a very limited basis.
3. Certifications required by SOS:
 - The county has identified a Single Point of Contact ("SPOC") who will be responsible for coordinating the ESA effort with county staff, including election management, voter registration, IT, and other affected staff.
 - The agreement/project has been approved by Commissioners Court, or the project does not require Commissioners Court approval and the SPOC is authorized to sign.
 - The county accepts the SPP without changes or accepts the SPP with changes if agreed to by SOS and DIR.

County approval:

We recognize counties operate differently, and we want to make sure the engagement is authorized through the appropriate channels within the county while making the process as simple as possible. For example, we don't want you to have to go before Commissioners Court more than once to obtain the necessary approvals for all documents pertaining to this project. To that end, I've attached generic (template) copies of the ILC, Terms and Conditions, and the SPP for you and stakeholders within your county to review and present to Commissioners Court, preferably at the same time. Official documents with the county's name on it will come at various stages in the process (more on that below).

We recommend Commissioners Court be advised of the following:

- ✓ The ESA is being funded with the 2018 HAVA Election Security Grant Funds authorized under Title I, Section 101 of the Help America Vote Act of 2002, which will be paid by SOS to DIR on the county's behalf. Costs within the project's scope have been pre-negotiated. The county WILL NOT be invoiced.
- ✓ A Single Point of Contact will need to be designated who will be responsible for coordinating the ESA effort with county staff, including election management, voter registration, IT, and other affected staff. It would also be beneficial for the SPOC to have some decision-making and signature authority. For instance, the ILC and Terms and Conditions with the county's name can be made available at the Commissioners Court meeting if coordinated with AT&T; however, the SPP will not be available until the County is "on-boarded" into the MSS program (approx. 5 days after returning the signed ILC). Therefore, it would be beneficial for the SPOC to have signature authority to avoid having to go back to Commissioners Court for SPP approval. Since the SPP template attached to this email will be the same, less the county name, our hope is that it will be sufficient for the Commissioners Court to sign off on and give the SPOC the authority to officially approve it once the county has been "on-boarded" into the MSS program. In addition, a Project Acceptance Letter (PAL) will have to be approved at the end of the project stating that the county has received the assessment report and acknowledges that the project can close.
- ✓ The areas that will be reviewed include the voter registration (VR) system, VR application storage, staff security knowledge, election devices, ballot creation process and tools, election results publication and tools, non-connected network and systems, general computer/endpoints, security devices, internet connected election network, network access, vulnerability detection, management tools, maintenance and remote support, threat intelligence, social engineering, external web-site vulnerability testing, third-party risk assessments, and cyber security capability.
- ✓ The following deliverables are provided as the output of the ESA to the county:
 - Election Security Assessment Scorecard
 - Election Security Assessment ReportThe deliverables will be encrypted and made available through a restricted access server. The information will be presented to the county in a final "closeout" presentation by Cyberdefenses and AT&T. We suggest the counties only invite critical personnel for this review as the information may be sensitive in nature. In addition, to the extent that you receive public information requests for any of the deliverables, this information is protected from public disclosure under Section 552.139 of the Texas Government Code.
- ✓ AT&T and Cyberdefenses have vast experience in this field and understand the sensitivity and complexity of this endeavor. They will work with the county to determine the appropriate schedule as to not disrupt county operations, and all findings will remain completely confidential. For questions regarding the assessment process, please contact Elections@cyberdefenses.com.

I would like to emphasize the importance of your participation in this vital program. As DIR and its partners provide SOS with aggregate information, SOS will move onto phase two of the project, which will be remediation. In other words, the quicker we can complete the assessments, the quicker we can evaluate the use of grant funds for security enhancements at the county level.

Lastly, if you or any of the county stakeholders have any questions or concerns, please feel free to contact our office. I am always available and Dan Glotzer, our Election Funds Manager, is helping to coordinate this project with DIR and AT&T. He can be reached at dglotzer@sos.texas.gov, 512-463-9861.

Sincerely,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.



August 29, 2018

Dear County Elections Administrator:

First, we would like to thank you and your colleagues for your tireless work to uphold the integrity and security of elections in the State of Texas. As part of our shared commitment to enhancing election infrastructure security, the Texas Secretary of State's office (SOS) and the Texas Department of Information Resources (DIR) have partnered to offer election security assessments to all 254 Texas counties using funds from our state's share of the 2018 Help America Vote Act (HAVA) grant disbursement. As you are aware, DIR has executed a contract with AT&T to provide county security assessments, at no cost to your county, through the agency's Managed Security Services (MSS) program. Last week, you received an e-mail from the SOS Director of Elections with instructions on how to initiate your county's assessment.

With the November election swiftly approaching, we urge you to take full advantage of the free election security assessment service as soon as possible so that you, your fellow election officials, and county leadership can have a detailed roadmap for the security enhancements your office may need to ensure the continued integrity of your elections infrastructure – enhancements that can be subsidized using funds from the 2018 HAVA disbursement. As each county's assessment may take 4-8 weeks, depending on the size of your county, we strongly encourage you to initiate the process now by e-mailing ElecAssessment@sos.texas.gov and following proper county procedures (gaining approval from your commissioners court) to authorize participation in the program.

After indicating your desire to participate, you must designate an official to serve as the county's liaison on all matters relating to the program and be prepared to execute documents with DIR and AT&T regarding the assessment. We have enclosed copies of the Interlocal Contract (ILC) Template, MSS Contract Template, and Addendum to the ILC for your review. Should you have any questions on these documents, please contact DIRSharedServices@dir.texas.gov at DIR.

Thank you again for your commitment to strengthening the security of our state's elections, and we look forward to working with you to ensure Texas voters can continue to cast their ballots with confidence in 2018 and beyond.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Pablos".

Rolando B. Pablos
Texas Secretary of State

A handwritten signature in black ink, appearing to read "Stacey Napier".

Stacey Napier
Executive Director, Texas Department of Information Resources

Encl; Interlocal Contract Template, Managed Security Services Contract Template, Addendum to ILC

MANAGED SECURITY SERVICES TERMS AND CONDITIONS

This agreement is part of and incorporated within the Interagency/Interlocal Contract ("Contract") that has been entered into by the contracting parties. DIR Customer acknowledges and agrees that this Contract is with DIR and, therefore, DIR Customer does not have privity of contract with the SCPs.

Capitalized terms not defined herein shall have the meaning set forth in the relevant DIR Shared Services Contract.

DIR Customer agrees to the following conditions for receiving Managed Security Services:

1. Conditions for Providing Security Services

1.1 Access

DIR and/or Service Component Provider (SCP) shall use the Internet for primary access to DIR Customer's systems unless otherwise noted and agreed upon. DIR Customer shall not employ special access restrictions against DIR and/or Service Component Provider that it does not apply to the rest of the public network over the course of regular business.

1.2 Network Control

DIR Customer must inform DIR if DIR Customer does not control its network access and/or its Internet service is provided via a third party. DIR Customer is responsible for obtaining all necessary approvals. DIR Customer shall provide all necessary contact information for the third parties that control its network access, Internet service, and/or web applications. DIR Customer's emergency contact list shall include primary and secondary staff capable of administering DIR Customer computer systems specific to the type of services being requested or required.

1.3 Disclosure of Objectionable Material

In conducting the services authorized by DIR Customer, DIR may inadvertently uncover obscene, excessively violent, harassing, or otherwise objectionable material that may violate State or Federal law, including material that may infringe the intellectual property of a third party on DIR Customer devices or networks. DIR shall notify DIR Customer's Executive Director or highest level executive of the existence of all such objectionable and/or potentially illicit material so that DIR Customer may deal with the objectionable and/or potentially illicit material as it deems appropriate.

If DIR accesses child pornography, as defined in the Child Sexual Exploitation and Pornography Act, 18 U.S.C., Chapter 110, in conducting approved Services, DIR shall report such to DIR Customer's Executive Director or highest level executive and an appropriate law enforcement agency and provide the law enforcement agency access to the visual depictions of child pornography.

If DIR accesses information that they perceive as a serious threat to human life or safety in conducting the approved Services, DIR shall report such threat to an appropriate law enforcement agency and DIR Customer's Executive Director or highest-level executive.

1.4 No Warranties and Limitation of Liability

DIR makes no representation or warranty that its security services will disclose, identify, or prevent all vulnerabilities. DIR hereby disclaims all warranties, both express and implied, including without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DIR be liable for damages of any kind or nature that may arise from the services provided by DIR or DIR's Service Component Provider or Service Provider.

1.5 Service Interruption

DIR will endeavor not to disrupt DIR Customer's services and to adhere to best practices for all work performed. However, tools or services may affect the serviceability of poorly configured or overextended systems or services. It is possible that control of DIR Customer's system may be lost. For any testing that DIR may be conducting, DIR endeavors to use the safest methods to compromise DIR Customer's systems; however, DIR Customer should be prepared to restore a damaged system from a recent, acceptable backup within an acceptable time as determined by DIR Customer. During any testing DIR may conduct, DIR will NOT conduct any deliberate Denial-of-Service attack. DIR Customer agrees not to hold DIR liable in the event of any service interruption(s) that may arise as a result of performance of any Services. If either party becomes aware of a service interruption, that party will notify the other party's emergency contact.

1.6 Termination of Services

If DIR Customer terminates certain Services, that it requested and approved, for convenience, DIR Customer shall pay the remaining requisite unrecovered costs that have already been incurred prior to the notice of termination, such unrecovered costs will be calculated in accordance with the relevant DIR Shared Services Contract, SMM, or other DIR Customer approved terms. DIR Customer understands that it may not be able to terminate services or receive any refund of a pre-payment after approving the relevant financial solution.

2. DIR and DIR Customer Responsibilities

2.1 DIR Customer agrees as follows to the extent assessment Services are requested or required:

- a) DIR Customer responses to information requests and artifacts gathering pertinent to this security and risk assessment will be timely;
- b) The artifacts data are reasonably available via interviews and documents review;
- c) DIR Customer will make available the necessary Subject Matter Expert (SME) with required expertise to work with the SCP Assessment Team and will remain available thru the duration of the assessment;
- d) DIR Customer SME will be available when required for interaction with the SCP Assessment Team and that all the interviews will be conducted over the number of consecutive days as established during the project planning and scheduling phase;
- e) DIR Customer is responsible for the coordination and scheduling of resources and providing meeting facilities as necessary;
- f) Deliverables will be complete when DIR Customer has approved in writing that the deliverable meets the acceptance criteria;
- g) All document deliverables must be in formats (hard copy and/or electronic) as specified by DIR Customer. At a minimum, the formats must be in industry-accepted standards (e.g., MS Word, MS PowerPoint MS Project);
- h) DIR Customer will assist with meeting coordination for meetings between DIR Customer Key Personnel and DIR and the Service Provider and other staff to gather requirements and other activities;
- i) DIR may receive final copies of reports if DIR is paying for the assessment.

2.2 Penetration Testing

2.2.1 DIR Customer agrees as follows to the extent penetration testing (“PT”) is requested or required:

- a) SCP may conduct a passive scan to determine the number of live IPs within the Customer designated IP range.
- b) DIR Customer shall not intentionally place an unsecured system or device in the test scope.
- c) If DIR Customer detects SCP testing activities, DIR Customer technical staff shall follow standard operating procedures and policies.

2.3 DIR Customer Compliance

DIR Customer shall comply with all policies, procedures, and processes in the relevant SMM(s) and as provided by DIR.

DRAFT

**INTERLOCAL CONTRACT
BETWEEN
THE DEPARTMENT OF INFORMATION RESOURCES
AND
XXXX
RELATING TO THE USE OF THE DIR SHARED SERVICES MASTER SERVICE
AGREEMENTS**

This Interlocal Contract ("ILC" or "Contract") is entered into by the governmental entities shown above as contracting parties (referred to individually as a "Party" and collectively as the "Parties") pursuant to the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code. This ILC is created to give effect to the intent and purpose of Subchapter L, Chapter 2054, Texas Government Code, concerning statewide technology centers, specifically sections 2054.376(a)(3), 2054.3771, and 2054.3851.

The entity receiving services under the DIR Shared Services Contracts through this ILC is hereinafter referred to as the "Receiving Entity" or the "DIR Customer."

This ILC authorizes DIR Customer to participate in the Department of Information Resources ("DIR" or "Performing Agency") Shared Services Program. The DIR Shared Services Program includes contracts that have been competitively procured by DIR. All specific services and products are purchased through the DIR Shared Services Program contracts and subject to the processes and terms therein.

DIR's Shared Services Program provides for a Multisourcing Service Integrator (MSI) service provider ("MSI SCP") and various Service Component Providers ("SCP"). The Shared Services Master Service Agreements, as amended, are defined on the Shared Services web page on the DIR website ("DIR Shared Services Contracts") and are incorporated herein. Unless otherwise referenced, the references to Exhibits and Attachments herein are references to Exhibits and Attachments of the DIR Shared Services Contracts.

DIR Customer acknowledges and agrees that this ILC is with DIR and, therefore, DIR Customer does not have privity of contract with the SCPs.

Capitalized terms not defined herein shall have the meaning set forth in the relevant DIR Shared Services Contract.

**SECTION I
CONTRACTING PARTIES**

DIR CUSTOMER: XXXX

PERFORMING AGENCY: Department of Information Resources

SECTION II STATEMENT OF SERVICES TO BE PERFORMED

2.1 Effect of ILC and General Process

The DIR Shared Services Program offers a variety of services and related support and products. The list of such services is provided through the DIR Shared Services Catalog and the DIR Shared Services portal. Further, SCPs may work with third-party vendors to provide additional services or products within the requirements of the relevant DIR Shared Services Contract.

This ILC describes the rights and responsibilities of the Parties relating to implementation, operation, maintenance, use, payment, and other associated issues by and between DIR Customer and DIR related to the Services to be provided through the DIR Shared Services Contracts. DIR Customer shall receive the Services described in the DIR Shared Services Contracts, subject to the terms of the relevant DIR Shared Services Contracts and this ILC. DIR Customer is only subject to those specific terms to the extent DIR Customer requests services or products through those specific DIR Shared Services Contracts.

The details of specific processes and procedures are contained in the relevant Service Management Manual ("SMM"), developed by the MSI and/or SCPs, approved by DIR, and incorporated herein. The DIR Shared Services Contracts require the MSI and SCPs to develop appropriately documented policies, processes, and procedures and to provide training to DIR Customer personnel where required to ensure effective service interfaces, before approval and adoption of the SMM.

The terms of the relevant DIR Shared Services Contracts will apply to this ILC and will remain in full force and effect except as may be expressly modified by any amendment to the specific DIR Shared Services Contract. Such amendments will automatically apply to this ILC with no further action by the Parties. DIR shall keep DIR Customer generally informed of such amendments and provide the opportunity to provide input to DIR through the Shared Services portal as well as the DIR Shared Services Program Governance structure described below.

2.2 DIR Shared Services Program Process

To obtain Services, DIR Customer shall either order services directly through the MSI Marketplace portal where certain services and pricing are established or request certain services and products through the Request for Services process. This process is detailed in the relevant SMM for each SCP. SCP(s) will respond with a proposal, including the proposed solution or service, estimated cost or other financial obligations, if any, and any other relevant program-specific terms and conditions related to the services provided for in response to the Request for Service. DIR Customer may accept or decline those terms and services at that time. The final DIR Customer approved technical solution, financial solution, and related terms are contractually binding terms that incorporate the terms of

this ILC and the relevant Shared Services Contract(s). Later termination of a Service or solution after an original approval or any pre-payment, may result in additional cost to the DIR Customer and may not allow for any refund of payments already made.

2.3 Change Orders and Change Control

In accordance with the relevant SMM and Shared Services Contract requirements, DIR Customer will coordinate with the MSI and/or SCP for all change requests. Change Control processes and authority may vary between DIR Shared Services Contracts as it relates to the rights of Customers to request changes. Further, Change Control does not allow DIR Customers to alter terms and conditions of the DIR Shared Services Contracts.

SECTION III DIR CUSTOMER PARTICIPATION

3.1 General Shared Services Governance

Governance of the DIR Shared Services Program is based on an owner-operator approach in which DIR Customers, in the role of operator, actively work with all SCPs to resolve local operational issues and participate in committees to address enterprise matters. Enterprise-level decisions, DIR Customer issues, and resolution of escalated DIR Customer-specific issues are carried out by standing governance committees, organized by subject area and comprised of representatives from DIR Customers, DIR management, SCP management, MSI management, and subject-matter experts. DIR Customers are structured into partner groups that select representatives to participate in these committees. DIR Customer shall participate within this Governance structure as described above and within the relevant SMM(s) ("Shared Services Governance").

3.2 DIR Customer and SCP Interaction and Issue Escalation

In accordance with the relevant SMM(s), DIR Customer shall interface with SCPs on the performance of "day-to-day" operations, including work practices requiring SCP and DIR Customer interaction, issues resolution, training, planning/coordination, and "sign-off." All issues are intended to be resolved at the lowest level possible. In those instances where it becomes necessary, the following escalation path is utilized. If DIR Customer is not able to resolve an issue directly with SCP staff, DIR customer escalates the issue to SCP management. If the issue cannot be resolved by SCP management, DIR Customer escalates to DIR. If the issue cannot be resolved by DIR, DIR Customer escalates to the appropriate DIR Shared Services Program Governance committee.

3.3 DIR Customer Specific Laws

Per the Compliance with Laws section of the DIR Shared Services Contracts, DIR Customer shall notify DIR, in writing, of all DIR Customer-specific laws ("DIR Customer-Specific Laws"), other than SCP Laws, that pertain to any part of DIR Customer's business that is supported by SCPs under the DIR Shared Services Contracts, and DIR

will notify SCPs, in writing, of such DIR Customer-Specific Laws. The Parties intend that such DIR Customer-Specific Laws will be identified and included in the portion of the SMM specific to DIR Customer. DIR Customer shall use commercially reasonable efforts to notify DIR, in writing, of any changes to DIR Customer-Specific Laws that may, in any way, impact the performance, provision, receipt and use of Services under the DIR Shared Services Contracts. DIR shall advise SCPs of such change and require that any changes to DIR Customer-Specific Laws are identified and included in the SMM. If necessary to facilitate DIR compliance with the requirements of the DIR Shared Services Contracts, DIR Customer shall provide written interpretation to DIR of any DIR Customer-Specific Law.

3.4 DIR Customer responsibilities

Where appropriate, DIR Customer shall support the following:

- (a) Software currency standards are established for the Shared Services environment through the owner operator governance model. DIR Customers will be engaged in approval of these standards and the development of technology roadmaps that employ these software currency standards. DIR Customers are expected to remediate applications in order to comply with the standards
- (b) Technology standards (e.g. server naming standards, reference hardware architectures, operating system platforms) are established through Shared Services Governance. DIR Customers will adhere to these standards. Any exceptions will follow governance request processes.
- (c) DIR Customer shall ensure network connectivity and sufficient bandwidth to meet DIR Customer's needs.
- (d) DIR Customers will collaborate with SCPs to establish and leverage standard, regular change windows to support changes to enterprise systems. These change windows will be constructed to support varying degrees of service impact, from planned down-time to no service impact. Standard enterprise changes during these windows may affect all systems in one or more of the consolidated data centers simultaneously.
- (e) DIR Customers will support the consolidation of commodity services into shared enterprise solutions that leverage common management and configuration practices delivered by the service providers. Examples of such commodity services are SMTP mail relay and DNS management.
- (f) DIR Customers will support and align with standard enterprise Service Responsibilities Matrixes and associated processes for obtaining an exception or making improvements to the standard enterprise Service Responsibility Matrixes.

3.5 DIR Customer Equipment and Facilities

Any use by SCPs of DIR Customer Equipment and/or Facilities shall be limited to the purpose of fulfilling the requirements of this ILC or the DIR Shared Services Contracts.

DIR Customer will retain ownership of DIR Customer Equipment. DIR Customer shall comply with DIR refresh policies, as amended from time to time by DIR.

3.6 DIR Customer Contracts, Leases, and Software with Third Parties

DIR Customer will make available for use or use its best efforts to cause to be made available for use by DIR and/or SCPs the DIR Customer Contracts and Leases with third parties ("DIR Customer Third Party Contracts and Leases") and DIR Customer third party software ("DIR Customer-Licensed Third Party Software") that pertain to the Shared Services. Any use by DIR and/or SCPs of DIR Customer Third Party Contracts and Leases and/or DIR Customer-Licensed Third Party Software shall be limited to fulfilling the requirements of this ILC or the DIR Shared Services Contracts.

SCPs shall obtain all Required Consents in accordance with DIR Shared Services Contracts. DIR Customer will use its best efforts to assist SCPs to obtain from each Third Party Software licensor the right to use the DIR Customer-Licensed Third Party Software for Services provided under the DIR Shared Services Contracts. Except to the extent expressly provided otherwise and in accordance with the DIR Shared Services Contracts, SCPs shall pay all transfer, re-licensing, termination charges and other costs or expenses associated with obtaining any Required Consents or obtaining any licenses or agreements as to which SCPs are unable to obtain such Required Consents. If requested by DIR, DIR Customer shall cooperate with SCPs in obtaining the Required Consents by executing appropriate DIR approved written communications and other documents prepared or provided by SCPs.

3.7 Security

DIR Customer shall comply with recommended relevant security standards and relevant SCP security guides, as amended from time to time by DIR, the MSI, or the SCP. DIR Customer shall inform DIR as to any DIR Customer specific security considerations.

DIR Customer acknowledges that any failure on its part to follow recommended security standards, policies, and procedures may place its own data and operations at risk as well as those of SCP(s) and other governmental entities. DIR Customer accepts the related potential risks and liabilities that are created by DIR Customer's failure to comply with the recommendations if it is determined such recommendations would have prevented an issue. DIR accepts no responsibility for the risk or liability incurred due to a DIR Customer's decision to not follow DIR's recommendations. SCP will not be liable for violations of security policies and procedures by DIR Customer. Additionally, failure to comply with security standards, policies, and procedures may lead to the suspension or

termination of the availability of certain Applications and services. SCP will give DIR and the DIR Customer notification of non-compliance.

SECTION IV CONTRACT AMOUNT

In accordance with terms of the DIR Shared Services Contracts, including all relevant pricing and accepted Request for Services proposals, and this ILC, DIR Customer shall be responsible for and agrees to pay DIR the applicable Charges for Services received from the SCPs and the MSI, Services DIR Customer agrees to pre-pay, the DIR recovery fees, any allocated charges, and any Pass Through Expenses incurred by DIR or SCPs on behalf of DIR Customer. The applicable fees are set out in the relevant DIR Shared Services Contracts as incorporated herein and, if applicable, specifically addressed in response to any Request for Services. Certain pricing is based upon DIR Customer's specific consumption; therefore, DIR Customer controls the amounts and duration of the contract amounts. It is understood and agreed that amounts are subject to change depending upon Services required and/or requested and approved and further dependent upon legislative direction and appropriations available for such Services.

Attachment A provides the estimated spend for services as approved by DIR Customer. This form may be revised and updated by DIR Customer as needed without a formal amendment from DIR by DIR Customer submitting to DIR an updated form. DIR Customer must adhere to its own policies and processes for authorizing an adjustment to such amounts internally. DIR Customer is solely responsible for monitoring compliance with Attachment A and to communicate any changes to Attachment A to DIR. DIR shall not be responsible for monitoring or ensuring such compliance.

SECTION V PAYMENT FOR SERVICES

DIR shall electronically invoice DIR Customer for Services on a monthly basis. Each invoice shall include the applicable monthly charges for Services received from the SCPs, the DIR recovery fees, all allocated charges, and any Pass-Through Expenses incurred by DIR or SCPs on behalf of DIR Customer in accordance with the DIR Shared Services Contracts.

The DIR recovery fees shall be reviewed at least annually in accordance with the requirements for billed statewide central services as set forth in OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments (as updated, revised or restated) and other applicable statutes, rules, regulations and guidelines. DIR shall retain documentation for the DIR recovery fees. DIR fees are also determined and reported in accordance with DIR processes and sections 2054.0345-0346 of the Texas Government Code.

Each invoice shall include sufficient detail for DIR Customer to allocate costs to all federal and state programs in accordance with the relative benefits received and to make federal claims according to the federal cost plan of DIR Customer.

In order to allow DIR to meet the statutory payment requirements in Chapter 2251, Texas Government Code, DIR Customer shall make monthly payments by check or Electronic Funds Transfer (EFT) within twenty (20) days following receipt of each invoice from DIR. For purposes of determination of the payment due date, DIR and DIR Customer shall use the date when the invoice is electronically transmitted by DIR to DIR Customer and posted on the chargeback system along with reports that substantiate the service volumes and associated charges. Although cash flow considerations require timely payments as required herein, the rights of DIR Customer and DIR to dispute charges shall be consistent with Texas law.

The MSI SCP is required to develop and maintain a chargeback system. DIR shall coordinate requirements and functionality for the chargeback system with DIR Customer needs and requirements under federal and state requirements for invoiced charges generated through the system. DIR Customer shall utilize this chargeback system to link the designated measurable activity indicators (such as applications or print jobs) with the appropriate financial coding streams. DIR Customer shall update this information monthly, or at such other intervals as are necessary, to enable the MSI SCP to generate accurate invoices reflecting the appropriate distribution of costs as designated by DIR Customer.

DIR Customer is liable for all costs and expenses associated with providing Services under the ILC to the extent such costs and expenses have been incurred by DIR and such Services have been provided to DIR Customer or DIR Customer agrees to pay for such Services prior to receiving them.

Except as allowed in Texas Government Code, Chapter 2251, DIR Customer shall have no right to set off, withhold or otherwise reduce payment on an invoice. In accordance with Texas Government Code, Section 791.015, to ensure enforceability of payment obligations, DIR Customer consents to DIR presenting this ILC and all unpaid invoices to the alternate dispute resolution process, as set forth in Chapter 2009, Texas Government Code. Provided, however, that such consent shall not constitute an agreement or stipulation that Services have been provided or that the invoices are correct. DIR Customer expressly retains all rights to which it is entitled under Texas Government Code, Chapter 2251, in the event of a disagreement with DIR as to whether Services have been provided and accepted or an invoice contains an error.

If DIR Customer disputes an invoice, it shall present the billing dispute in writing directly to the MSI through the Service Catalog within four (4) invoice cycles after the date DIR Customer receives the invoice and reports that substantiate the service volumes and associated Charges from DIR. DIR Customer will provide to the MSI all relevant documentation to justify the billing dispute.

SECTION VI TERM AND TERMINATION OF CONTRACT AND SERVICES

6.1 Term and Termination of ILC

The term of this ILC shall commence upon start of services or execution of this ILC, whichever shall come earlier, and shall terminate upon mutual agreement of the Parties.

This ILC is contingent on the continued appropriation of sufficient funds to pay the amounts specified in DIR Customer's Requests for Services, including the continued availability of sufficient relevant federal funds if applicable. Continuation of the ILC is also contingent on the continued statutory authority of the Parties to contract for the Services. If this ILC is terminated for any reason other than lack of sufficient funds, lack of statutory authority, or material breach by DIR, DIR Customer shall pay DIR an amount sufficient to reimburse DIR for any termination charges and any termination assistance charges incurred under the DIR Shared Services Contracts and this ILC as a result of such termination by DIR Customer. DIR Customer shall provide at least ninety (90) days' written notice to DIR prior to termination. Payment of such compensation by DIR Customer to DIR shall be a condition precedent to DIR Customer's termination.

DIR and DIR Customer acknowledge and agree that compliance with federal law and ongoing cooperation with federal authorities concerning the expenditure of federal funds in connection with the DIR Shared Services Contracts and this ILC are essential to the continued receipt of any relevant federal funds.

6.2 Termination of Services

If DIR Customer terminates certain Services, that it requested and approved, for convenience, DIR Customer shall pay the remaining requisite unrecovered costs that have already been incurred prior to the notice of termination, such unrecovered costs will be calculated in accordance with the relevant Shared Services Contract, SMM, or the approved services proposal and related terms. DIR Customer understands that it may not be able to terminate services or receive any refund of a pre-payment after approving the relevant financial solution.

SECTION VII MISCELLANEOUS PROVISIONS

7.1 Public Information Act Requests

Under Chapter 552, Texas Government Code (the Public Information Act), information held by SCPs in connection with the DIR Shared Services Contracts is information collected, assembled, and maintained for DIR. DIR shall respond to Public Information Act requests for SCP information. If DIR Customer receives a Public Information Act request for SCP information that DIR Customer possesses, DIR Customer shall respond

to the request as it relates to the information held by DIR Customer. Responses to requests for confidential information shall be handled in accordance with the provisions of the Public Information Act relating to Attorney General Decisions. Neither Party is authorized to receive or respond to Public Information Act requests on behalf of the other. If SCP or DIR receives a Public Information Act request for information or data owned by DIR Customer, DIR or SCP will refer the requestor to DIR Customer.

7.2 Inventory Control

DIR shall coordinate financial accounting and control processes between DIR Customer and SCPs and ensure inclusion of reasonable control and reporting mechanisms, including any control and reporting mechanisms specifically required by DIR Customer, in the Service Management Manual. Such procedures shall specifically recognize DIR Customer requirements for inventory control and accounting for state owned and leased equipment and facilities, including hardware, software, contracts, and other items of value that may be utilized by, or authorized for use under the direction and control of SCPs.

7.3 Confidential Information

DIR shall require SCPs to maintain the confidentiality of DIR Customer information to the same extent that DIR Customer is required to maintain the confidentiality of the information, and with the same degree of care SCPs use to protect their own confidential information. DIR acknowledges that DIR Customer may be legally prohibited from disclosing or allowing access to certain confidential data in its possession to any third party, including DIR and SCPs. The relevant SMM shall document detailed confidentiality procedures, including the process DIR Customer shall follow to identify confidential information it is legally prohibited from disclosing or allowing access to by DIR and SCPs and including confidentiality procedures required that are specific to DIR Customer. The DIR Shared Services Contracts sets forth the confidentiality obligations of SCPs.

DIR Customer shall notify DIR, in writing, (1) if DIR Customer is a covered entity subject to the Health Insurance Portability and Accountability Act (HIPAA) privacy regulations at 45 Code of Federal Regulations Parts 160 and 164, that is required to enter into a business associate agreement with DIR or SCPs; (2) if DIR Customer receives Federal tax returns or return information; and (3) if DIR Customer is subject to any other requirements specific to the provision of Services. If DIR Customer receives federal tax returns or return information, then DIR Customer must comply with the requirement of IRS Publication 1075 and Exhibit 7 to IRS Publication 1075. In the event a DIR customer is subject to additional requirement as mentioned in this section, DIR shall require SCPs to maintain the confidentiality of DIR Customer information in accordance with language included in Attachment B of this agreement. Such additional requirements as is included in Attachment B of this agreement shall be included in the relevant SMM.

7.4 Notification Information

Contact information for purposes of notification for each Party is set forth below.

DIR Customer's Primary Contact

Name: _____
Title: _____
Address: _____
Telephone: _____
Email: _____

DIR's Primary Contact

sharedservicescontractoffice@dir.texas.gov

The DIR Billing Contact is listed in the DIR Contacts section of the monthly Shared Services Payment Guidance letter, which is provided to the DIR Customer with the monthly Shared Services invoice.

7.5 Binding Effect

The Parties hereto bind themselves to the faithful performance of their respective obligations under this ILC.

7.6 Amendments

This ILC may not be amended except by written document signed by the Parties hereto or as specified within this ILC or the attachment being amended.

7.7 Conflicts between Agreements

If the terms of this Contract conflict with the terms of any other contract between the Parties, the most recent contract shall prevail. This Contract provides a general description of certain terms within the DIR Shared Services Contracts. If the terms of this Contract conflict with the terms of the DIR Shared Services Contracts, the DIR Shared Services Contracts' terms shall prevail. If the terms of this Contract conflict with the terms of an accepted proposal or solution from a Request for Services, this Contract shall prevail.

7.8 Responsibilities of the Parties

The Parties shall comply with all federal, state and local laws, statutes, ordinances, rules and regulations and with the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of the ILC. The parties do not intend to create a joint venture. Each Party acknowledges it is not an agent, servant or employee of the other. Each Party is responsible for its own acts and deeds and for those of its agents, servants and employees. Notwithstanding the foregoing, DIR will cooperate with

DIR Customer in all reasonable respects to resolve any issues pertaining to federal funding in connection with this ILC or the DIR Shared Services Contracts.

DIR and DIR Customer agree that Services contemplated in this ILC shall be governed by provisions in the DIR Shared Services Contracts regarding individual responsibilities of the parties, including Services provided by the SCPs. DIR Customer shall comply with all policies, procedures, and processes in the relevant SMM (s) and as provided by DIR. In the event DIR Customer actions, failure to perform certain responsibilities, or Request for Services result in financial costs to DIR, including interest accrued, those costs shall be the responsibility of DIR Customer. DIR and DIR Customer shall coordinate and plan for situations where conflicts, failure to perform or meet timely deadlines, or competition for resources may occur during the term of this contract. Unless otherwise specifically addressed, the governance process, addressed above, for the DIR Shared Services Contracts shall be used for issue resolution between DIR Customers, DIR and DIR SCPs.

7.9 Audit Rights of the State Auditor's Office

In accordance with Section 2262.154, Texas Government Code and other applicable law, the Parties acknowledge and agree that: (1) the state auditor, the Parties' internal auditors, and if applicable, the Office of Inspector General of DIR Customer or their designees may conduct audits or investigations of any entity receiving funds from the state directly under the Contract or the DIR Shared Services Contracts, or indirectly through a subcontract under the DIR Shared Services Contracts; (2) that the acceptance of funds directly through this Contract or indirectly through a subcontractor under the Contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, the Parties' internal auditors, and if applicable, the Office of Inspector General of DIR Customer or their designees to conduct audits or investigations in connection with those funds; and (3) that the Parties shall provide such auditors or inspectors with access to any information considered relevant by such auditors or inspectors to their investigations or audits.

7.10 General Terms

Except as expressly provided herein, no provision of this ILC will constitute or be construed as a waiver of any of the privileges, rights, defenses, remedies or immunities available to DIR Customer. The failure to enforce or any delay in the enforcement of any privileges, rights, defenses, remedies, or immunities available to DIR Customer by law will not constitute a waiver of said privileges, rights, defenses, remedies, or immunities or be considered as a basis for estoppel. Except as expressly provided herein, DIR Customer does not waive any privileges, rights, defenses, remedies or immunities available to DIR Customer.

This Customer Agreement will be construed and governed by the laws of the State of Texas. Venue for any action relating to this Customer Agreement is in Texas state courts in Austin, Travis County, Texas, or, with respect to any matter in which the federal courts have exclusive jurisdiction, the federal courts for Travis County, Texas.

If one or more provisions of this ILC, or the application of any provision to any Party or circumstance, is held invalid, unenforceable, or illegal in any respect, the remainder of this ILC and the application of the provision to other Parties or circumstances will remain valid and in full force and effect.

Signatory Warranty

Each signatory warrants requisite authority to execute the ILC on behalf of the entity represented.

**SECTION VIII
CERTIFICATIONS**

The undersigned Parties hereby certify that: (1) the matters specified above are necessary and essential for activities that are properly within the statutory functions and programs of the affected agencies of State Government; (2) this ILC serves the interest of efficient and economical administration of State Government; and (3) the Services, supplies or materials in this ILC are not required by Section 21, Article 16 of the Constitution of Texas to be supplied under contract given to the lowest responsible bidder.

IN WITNESS WHEREOF, the Parties have signed this ILC effective on date of last signature below.

RECEIVING ENTITY: XXXX

By: _____

Printed Name: _____

Title: _____

Date: _____

PERFORMING AGENCY: DEPARTMENT OF INFORMATION RESOURCES

By: _____

Printed Name: _____ Sally Ward

Title: _____ Director, Program Planning and Governance

Date: _____

Legal: _____

Attachments to ILC

Attachment A Estimated Spend Form – (Customer may provide Attachment A to DIR if required by their processes.)

Attachment B Additional Confidentiality Requirements – (As necessary and described in Section 7.3, Confidential Information)

DRAFT

Attachment A
Estimated Spend Form

*This form is to be used as needed by the DIR Customer to capture spend within the Shared Services Program. This amount may be based upon the DIR Customer's biennial budget(s).

Below are the estimated spend amounts for certain DIR Shared Services received through this ILC and may change based upon DIR Customer consumption. This amount is to be managed and monitored solely by the DIR Customer. Amounts may be transferred by the DIR Customer that change this amount. Such increases or decreases are strictly within the control of the DIR Customer.

DIR Customer is required to pay for any costs incurred in accordance with this ILC and the related DIR Shared Services Contracts regardless of the estimated spend amounts reflected herein.

Updates to this form may be executed through written notice by the DIR Customer to DIR.

Costs, such as incremental network expenses, which are billed directly to or paid by the DIR Customer, are not included in these amounts.

For the period MONTH DAY, YEAR through MONTH DAY, YEAR the estimated spend is \$XX,XXX as the spend applies to _____ Services.

DIR Customer acknowledges and agrees that the responsibility to manage, monitor, and change the amounts contained in this form are the sole responsibility of the DIR Customer. Further, each signatory warrants requisite authority to execute any changes to this Attachment A in accordance with the DIR Customer's applicable approval processes.

By: _____

Printed Name: _____

Title: _____

Date: _____

Attachment B
Additional Confidentiality Requirements

None

DRAFT

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, April 26, 2019 3:50 PM
To: Elections Internet
Subject: MASS EMAIL (CC/EA/VR - 881) -- Secretary Whitley Announces Settlement In Litigation On Voter Registration List Maintenance Activity

Dear County Election Officials and Voter Registrars,

Please see the [news advisory](#) below regarding the settlement of the litigation on list maintenance activities. Please be advised that we will be sending out more details and instructions to you regarding the new process going forward.

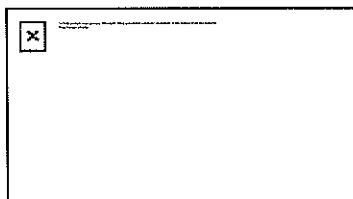
Thank you,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Having trouble viewing this email? [View it as a Web page.](#)



FOR IMMEDIATE RELEASE
April 26, 2019

Contact: Sam Taylor
STaylor@sos.texas.gov
512-463-6116

Secretary Whitley Announces Settlement In Litigation On Voter Registration List Maintenance Activity

Plaintiffs agree to dismiss all claims against the Texas Secretary of State

AUSTIN, TX – Today, the parties to *LULAC v. Whitley* (and consolidated cases) agreed to a settlement in the litigation regarding the Texas Secretary of State's voter registration list maintenance activity announced on January 25, 2019 to identify and remove non-U.S. citizens registered to vote in Texas. All parties agreed to a mutually acceptable process by which the Texas Secretary of State's office can continue to conduct voter registration list maintenance required under both state and federal law while eliminating the impact of any list maintenance on eligible Texas voters. The plaintiffs agreed to dismiss all of their claims and the Texas Secretary of State's office agreed to issue a new advisory notifying Texas counties on the revised process for identifying and removing non-U.S. citizens from the state's voter rolls.

Secretary Whitley issued the following statement regarding the settlement agreement:

"I want to thank the Texas Legislature, county election officials from across the state, and the parties in this litigation for working with our office to develop a sustainable non-citizen list maintenance process. From the beginning, this process was designed to be collaborative, and today's agreement reflects a constructive collaboration among all stakeholders. It is of paramount importance that Texas voters can have confidence in the integrity, accuracy, and efficiency of the electoral system in which they participate. Today's agreement accomplishes our office's goal of maintaining an accurate list of qualified registered voters while eliminating the impact of any list maintenance activity on naturalized U.S. citizens. I will continue to work with all stakeholders in the election community to ensure this process is conducted in a manner that holds my office accountable and protects the voting rights of eligible Texans."

As part of the settlement, the parties agreed to a revised list maintenance process for the Texas Secretary of State's office to utilize in matching Texas Department of Public Safety (DPS) data regarding potential non-U.S. citizens with Texas' voter registration database. The parties agreed that, going forward, the Texas Secretary of State's office will send to county voter registrars only the matching records of individuals who registered to vote before identifying themselves as non-U.S. citizens to DPS when applying for a driver license or personal identification card. This will ensure that naturalized U.S. citizens who lawfully registered to vote are not impacted by this voter registration list maintenance process.

###

Please DO NOT REPLY to this message. It comes from an un-monitored mailbox. If you have any questions regarding this announcement or wish to unsubscribe, please e-mail Sam Taylor at

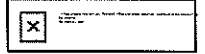
STaylor@sos.texas.gov

Stay Connected with Texas Secretary of State:



SUBSCRIBER SERVICES:

This email was sent to cadkins@sos.texas.gov using GovDelivery Communications Cloud on behalf of: Texas Secretary of State · 707 17th St, Suite 4000 · Denver, CO 80202



Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Friday, May 03, 2019 8:51 AM
To: Elections Internet
Subject: MASS EMAIL--VR/EA--Settlement update

Sensitivity: Personal

Dear Voter Registrars and Elections Administrators,

As we alerted you last Friday, the parties reached a settlement of the three federal lawsuits challenging the list maintenance activity announced in Election Advisory 2019-02. The district court entered an order dismissing all three cases on Monday, April 29, 2019.

As part of the settlement, the Secretary of State's office has rescinded Election Advisory 2019-02. We advise you to take no further action on any data files that our office sent you in connection with Election Advisory 2019-02. For online counties and offline counties using the dashboard, we have closed all tasks related to these data files. We urge other offline counties to close all tasks associated with any data files that we sent you for this list maintenance activity.

In addition, if you sent any voter a notice of examination as a result of Election Advisory 2019-02, please send that voter a new letter advising them that they are still registered to vote and that their voter registration status is no longer in question. You do not need to send this additional notice if the individual has contacted your office and asked to be removed from the voter rolls or if there is some other basis for investigating the eligibility of the voter. We understand that some counties have already sent additional notices to certain voters; however, if you have not done so and have questions about the appropriate language to use in these notices, please contact our office before issuing notices to any voters.

Consistent with the parties' settlement, we anticipate issuing a new advisory related to the agreed-upon and revised list maintenance process in the coming weeks.

Thank you for your assistance in these matters and for all of your hard work going into the May elections. If you have any questions regarding this e-mail, please give us a call.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as personal legal advice to you for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, May 06, 2019 3:41 PM
Subject: Mass Email Advisory--CC/EA--Advisories for May 4, 2019 Uniform Election
Attachments: ADV2019-07 Partial Manual Count May 4, 2019 CSO.docx.pdf

Dear Election Officials:

Attached to this email you will find Advisory 2019-07 – Partial Manual County for May 4, 2019 Uniform Election.

Pursuant to Section 127.201(a) of the Texas Election Code (the “Code”), the General Custodian of Election records in an election in which an electronic voting system is used must conduct a partial manual count. The partial manual count is **NOT** waived for the May 4, 2019 election. The General Custodian of Election Records will select the precincts in which to conduct the manual count. See the attached advisory for instructions.

Please be advised that the partial manual count applies to all early voting by mail, early voting in person, and election day ballots. For additional details about this process, please see Advisory 2018-30 Revised Procedures for Partial Manual Count.

Please let us know if you have any additional questions or concerns.

Christina Worrell Adkins
Legal Director -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas




Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 ForRelay Services
(800) 252-VOTE (8683)

David Whitley
Secretary of State

TO: All Cities, School Districts and Other Political Subdivisions

FROM: Keith Ingram, Director of Elections 

DATE: May 4, 2019

RE: Partial Manual Count after the May 4, 2019 Uniform Election Date

Pursuant to Section 127.201(a) of the Texas Election Code (the "Code"), the general custodian of election records in an election in which an electronic voting system is used must conduct a partial manual count in one percent of the election precincts or three election precincts, whichever is greater. The partial manual count is not waived for the May 4, 2019 election.

The partial manual count applies to election day, early voting in person and early voting by mail ballots.

The partial manual count is required for all counties that automatically tabulate their ballots using an optical/digital scanner. Optical/digital scanners are either precinct ballot counters or central scanners. Therefore, entities that hand counted their ballots are not required to conduct the partial manual count. Tex. Elec. Code § 127.201(a), (g).

Please follow these instructions for completing your partial manual count:

1. Select the precincts in which to conduct the manual count. You must select the greater of one percent of election precincts or three election precincts. NOTE: If you had only one election precinct, you will conduct the manual count for that one precinct.
2. Select the precincts at random.
3. Post notice of the date, hour, and place of count in your office (office of the general custodian of election records.)
4. Begin the manual count no later than 7 p.m., Tuesday, May 7, 2019, and complete the manual count not later than Tuesday, May 28, 2019. NOTE: You can **begin** the manual count simply by logging into system with your new password. This will count as you beginning the partial manual count.
5. Report results of the partial manual count to the Secretary of State:
 - a. Click on the following link:
<https://webservices.sos.state.tx.us/csomanualcount/index.aspx>
 - b. Select your entity in the drop down menu.
 - c. A temporary password will be emailed to you separately. You will be required to create a new password before proceeding to complete the manual count.
 - d. Remember if you **hand counted** your ballots you are not required to conduct the partial manual recount. Follow the prompts. Enter results of the partial manual count.

The instructions for reporting the partial manual count will be available once you access the online system. NOTE: Any discrepancies found between electronic and manual count totals should be noted in the discrepancy field provided online.

- e. Print the online page for your records and exit the program.

If more than one electronic voting system is used for a precinct, the manual count must include counts from all systems. You may, but are not required to, hire outside help to assist you in this task.

You are not required to petition a district judge for permission to retrieve the ballots, since this is a procedure that is required by law. At the time you have designated to begin the manual count, you should arrange access to the ballots for the selected precincts. Following the manual count, all election material shall be re-secured and returned to the appropriate authority.

Those political subdivisions contracting with the county for the conduct of the May election should inform the county clerk/elections administrator that the partial manual count has NOT been waived.

Please contact Tiffany Owens at 1-800-252-2216 or elections@sos.texas.gov if you have any questions in conducting your partial manual count or if you experience any problems entering your data.

KI:CA

CC: County Clerks/Elections Administrators (via e-mail)

Alexy Rios

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, May 15, 2019 10:55 AM
Subject: Mass Email-- CC/EA -- Precinct by Precinct Report

Sensitivity: Personal

Election Officials,

Pursuant to Section 67.017 of the Texas Election Code, all political subdivisions are required to file electronic precinct-by-precinct returns with the Secretary of State Elections Division **not later than the 30th day after Election Day**. Please submit these reports to our office **not later than Monday, June 3, 2019**.

Logging in the system:

1. You may access the online reporting system by clicking on this link:
<https://efm.sos.state.tx.us/votecount/signon.asp>
2. A *temporary* password will be emailed to you in a separate email.

Information needed to submit your precinct-by-precinct results:

1. You **should not** input your results until **after** you have canvassed your election. The report is meant to capture final election results.
2. You must include both the early votes and election day votes by precinct for all races reported.
3. There are three methods by which you can submit this report to our office:
 - A. You can upload your results through the link above via the SOS application using an Excel, PDF, or ASC formatted file. The information must include:
 1. Political Subdivision
 2. Election Date
 3. Election Name
 4. Total Provisional Ballots
 5. Total provisional Ballots Counted
 6. Precinct Number
 7. Total Number of Registered Voters
 8. Race Name
 9. Candidate Name
 10. Early Vote Totals
 11. Election Day Vote Totals
 - B. Upload a vendor provided spreadsheet including all required information using the SOS application; or

- C. You can “build” your own report by inputting your precinct returns directly in the system. The instruction for inputting the results are online.
4. The precinct by precinct returns are required to be filed **not later than 30 days after the election**. All results must be submitted by **Monday, June 3, 2019**.

If you need any assistance with your password or have additional questions or concerns, please do not hesitate to contact our office at (800)252-8683 or elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Alexy Rios

From: Keith Ingram <KIngram@sos.texas.gov>
Sent: Tuesday, May 28, 2019 4:22 PM
To: Elections Internet
Subject: MASS EMAIL--CC/VR/EA--Letter from Deputy SOS
Attachments: Letter-DSOS-5.28.19.pdf

Sensitivity: Personal

Hello Everyone,

Attached, please find a letter from Deputy Secretary of State Joe Esparza. He can be reached at JEsparza@sos.texas.gov.

Please let us know if you have any questions,

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as personal legal advice to you for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas



Executive Division
Capitol Building, IE.8
P.O. Box 12697
Austin, Texas 78711-2697

Phone: 512-463-5770
Fax: 512-475-2761
Dial 7-1-1 For Relay Services
www.sos.state.tx.us

Secretary of State

May 28, 2019

Dear County Election Officials:

Now that the 86th Legislature has come to a close, we would like to take the time to thank you for your assistance, feedback, and engagement over the past 140 days.

As we move forward and prepare for the upcoming November Constitutional Amendment Election, the 2020 Primary Election, and the 2020 General Election, I want to assure each and every one of you that you can count on our agency to continue providing support and guidance to better serve the voters in your respective counties.

We will continue to work together to improve election administration, enhance election security, and ensure that all election officials are properly trained on changes to the Texas Election Code that occurred during this year's session. We look forward to seeing you all in July at this year's Election Law Seminar in Austin.

Please do not hesitate to reach out to me directly if you have any questions or need anything from our office. Thank you for your service to Texas voters and for your steadfast commitment to public service in the Lone Star State.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Esparza", with a long horizontal flourish extending to the right.

Joe Esparza
Deputy Secretary of State

